~~Indicates Matter Stricken~~

Indicates New Matter

The House assembled at 11:00 a.m.

Deliberations were opened with prayer by Rev. Charles E. Seastrunk, Jr., as follows:

Our thought for today is from Psalm 90:17: “Let the favor of the Lord our God be upon us, and proper for us the work of our hands.”

Let us pray. Almighty God, as we organize for a new Session, give each of these Representatives the strength and courage to do the work of the people. Bless with Your favor especially our Speaker, as he leads and the staff, as they carry out their assigned tasks. Grant these Representatives integrity and wisdom in their daily lives. Provide for their families while they serve in this place. Protect our defenders of freedom as they protect us. Heal the wounds, those seen and those hidden, of our brave warriors. Lord, in Your mercy, hear our prayer. Amen.

Pursuant to Rule 6.3, the House of Representatives was led in the Pledge of Allegiance to the Flag of the United States of America by the CLERK.

**APPOINTMENT OF THE TEMPORARY CHAIRMAN**

The CLERK of the late House announced that the first order of business is the appointment of a Temporary CHAIRMAN.

The CLERK of the late House appointed Rep. GRADY A. BROWN.

The CLERK of the late House appointed Reps. BARFIELD, BALES, WEEKS and BERNSTEIN to escort Rep. GRADY A. BROWN to the rostrum.

Rep. GRADY A. BROWN presented his credentials and the oath of office was administered to him by the CLERK.

Rep. GRADY A. BROWN thereupon took the Chair and offered the following statement:

As the senior member of this great Body, it is my sincere honor and privilege to stand before all of you and share this distinguished and special day with you.

Much has happened in the world since I first took the oath of office in 1984, as one of the newest Members of the South Carolina House of Representatives. Many things have changed; but some things have remained the same. For instance, I love to play beach music and shag. In 1984, the term disc jockey was still relevant because most of the music we played were records, LPs, EPs or 45s. Cassette tapes were common. The top selling pop album in 1984 was Michael Jackson's *Thriller*.

The world of music advanced and now, we have compact discs, digital downloads, MP3s and ITunes, cell phones that do everything, IPads and more, but at least we still shag.

In 1984, the Soviet Union still existed. We were still in the middle of the Cold War and now, unfortunately, find ourselves embroiled in the War on Terror. In 1984, our Republican President was the late Ronald Reagan. The Governor of South Carolina was a Democrat, Dick Riley. The Democrats had the majority in both Houses of the South Carolina Legislature and in the U. S. House of Representatives. The Republicans controlled the U. S. Senate at that time.

We all know a lot of things have changed in this political world. On the other hand, a lot of things have remained constant some of the same faces are here today. Others have served admirably and left, the likes of the late Speaker Solomon Blatt, for whom the Blatt Building is named for. The names of Schwartz, Sheheen, Wilkins, Harvin, Haskins, Beasley, Hodges, Harris, Neilson, Young, Billy Boan, McLellan, Carnell, Miller, Harmon, Washington, McLeod, Snow, Patterson, Klapman, Harrison, Breeland, Kirsh, Phillips, Ogburn, Cooper, Spearman, Harwell, Mangum, Blackwell, Bennett, Bradley, Brown, Burriss, Cork, Dangerfield, Edwards, Foster, Freeman, Gregory, Harris, Hearn, Hendrix, Keyserling, Lockemy, Rogers, Short, and Justice Toal and the list goes on and on who have served this State well and many more.

Mr. Speaker and members of the this Legislature, let us please remember that when an object is bent that doesn't mean it is broken. I beg of you today, do not let the print media coerce this Body into change just for the sake of change, but for the good of the people we represent and a better government. The same hallmarks of service that guided the late Senator Strom Thurmond are the same guideposts that drive those of us who truly strive to make a difference in the lives of all our citizens and who are here for the long haul.

Our commitments should be to the dreams of children who desire a better education, adults who want to work, seniors who dream of retirement, veterans who need our thanks and recognition and small businesses who need a pathway to prosperity.

Yes, we still engage in partisan disagreements and come to bipartisan in multi-partisan deals. There are winners and losers; players and bystanders. We still have to campaign and we still have Democrats and Republicans. We still have the Christian Right and the Labor Movement. We also have the Tea Party and the Occupy Movement.

In 1984, we had the Water Cooler; today we have Twitter, Facebook and blogs. Instead of Dan Rather, we have Fox News. In 1984, cable was just becoming widespread and popular and we could watch 24-hour news on CNN at least in big cities. Now we can screen the Presidential debates in real time into our smart phones while sitting in the barber shop in Lee County. It is easy to get caught up in the newest technology and the latest, coolest gadgets, which advances every day, constant economic changes and petty politics. It is easy to lose sight of the bigger picture. It is, at this time, that I would like to remind those of you who have not yet achieved the level of seniority that I enjoy about one essential element of our jobs, as elected officials, that should never change: The critical element is team work.

Each of us in the Legislature, along with every member of the executive branch, was elected or appointed to serve the people of South Carolina. We as a team are individually accountable to and collectively responsible to the people and tasked with building South Carolina into an even greater place to live, work and raise a family.

I look forward to sitting down with you again during the 2013-2015 session to iron out our differences, ensuring South Carolina progresses forward, finding remedies for problems at hand faced by all our citizens and recognizing a common sense approach to government. I look forward to endless possibilities and ongoing compromise that will bring us to success. It is my hope that our executive branch embraces the essential element of teamwork as one of its guiding principles. I envision a Governor who reaches out to each member of the General Assembly regardless of political party to meet with them to determine how best to serve the constituents of his or her district.

Can you imagine a Governor that meets with members by delegation to address the needs of each and every county? I can.

As we begin the next two year cycle, it is my hope that we will see more teamwork in this state between the executive branch and the legislative branch and across party lines. Teamwork instead of division between the political machines.

As I close my remarks, I want to thank each of you for your commitment to service. To the Freshmen, let me personally welcome you to this august Body and I encourage each of you to remember that the seat you hold in trust belongs to the people in your district who sent you here. It is not your seat; it is theirs. In fact each of us would do well to remember that fact.

Let me finally say that I could not have reached this rewarding achievement and length of service without the help, love and trust of my dear wife, Laura. She has stood by me all these years.

In closing, I would like to thank God for giving me the strength, stamina and compassion to serve and that He, our Creator, recognizes Grady A. Brown, and how blessed I am as a citizen of this great State and nation. With that ladies and gentlemen of the House, let's go to work.

**TEMPORARY OFFICERS**

 The Temporary CHAIRMAN appointed Mr. Charles F. Reid to act as Temporary Clerk; Mr. James L. Mann Cromer, Jr., as Temporary Reading Clerk, and Mr. Mitchell G. Dorman as Temporary Sergeant at Arms.

**COMMUNICATION**

The following was received:

STATE OF SOUTH CAROLINA

OFFICE OF THE SECRETARY OF STATE

August 2, 2012

Mr. Charles F. Reid

Clerk of the House

Post Office Box 11867

Columbia, SC 29211

Dear Mr. Reid:

 The State Election Commission has certified to this office that Heather Ammons Crawford received the greatest number of votes cast for the House of Representatives, District 68, in the special election held on July 24, 2012.

 I have enclosed a copy of the results received from the State Election Commission as well as a copy of the oath of office for Ms. Crawford to sign. Once she has completed the oath, please have it returned to our office and we will send Ms. Crawford her commission.

Sincerely,

Mark Hammond

Secretary of State

STATE OF SOUTH CAROLINA

OFFICE OF THE SECRETARY OF STATE

November 30, 2012

House of Representatives

Mr. Charles F. Reid

Clerk of the House

Post Office Box 11867

Columbia, SC 29211

Dear Mr. Reid:

 The State Election Commission has certified to this office that the attached list of candidates received the greatest number of votes cast for the House of Representatives in the General Election held in South Carolina on November 6. 2012.

 The attached are hereby certified as the duly and properly elected members of the House of Representatives.

Sincerely,

Mark Hammond

Secretary of State

CERTIFIED ELECTION RESULTS

MEMBERS OF THE S.C. HOUSE OF REPRESENTATIVES

NOVEMBER 6, 2012

District 1 William R. “Bill” Whitmire (R)

District 2 William E. “Bill” Sandifer III (R)

District 3 B. R. Skelton (R)

District 4 David R. Hiott (R)

District 5 Phillip D. “Phil” Owens (R)

District 6 W. Brian White (R)

District 7 Michael W. “Mike” Gambrell (R)

District 8 Don C. Bowen (R)

District 9 Anne Thayer (R)

District 10 Joshua A. Putnam (R)

District 11 Craig A. Gagnon (R)

District 12 J. Anne Parks (D)

District 13 R. Shannon Riley (R)

District 14 Michael A. “Mike” Pitts (R)

District 15 Samuel Rivers, Jr. (R)

District 16 Mark N. Willis (R)

District 17 Tom Corbin (R)

District 18 Tommy M. Stringer (R)

District 19 Dwight A. Loftis (R)

District 20 Daniel P. Hamilton (R)

District 21 Phyllis Henderson (R)

District 22 Wendy K. Nanney (R)

District 23 Chandra E. Dillard (D)

District 24 Bruce W. Bannister (R)

District 25 Leola Robinson-Simpson (D)

District 26 Raye Felder (R)

District 27 Garry R. Smith (R)

District 28 Eric M. Bedingfield (R)

District 29 Dennis C. Moss (R)

District 30 V. Stephen "Steve" Moss (D)

District 31 Harold Mitchell, Jr. (D)

District 32 J. Derham Cole, Jr. (R)

District 33 Edward “Eddie” Tallon (R)

District 34 Michael Forrester (R)

District 35 William "Bill" Chumley (R)

District 36 Merita “Rita” A. Allison (R)

District 37 Donna H. Wood (R)

District 38 Norman "Doug" Brannon (R)

District 39 Ralph Shealy Kennedy, Jr. (R)

District 40 Walton J. McLeod (D)

District 41 MaryGail K. Douglas (D)

District 42 Michael A. Anthony (D)

District 43 F. Gregory “Greg” Delleney, Jr. (R)

District 44 Mandy Powers Norrell (D)

District 45 Deborah A. Long (R)

District 46 J. Gary Simrill (R)

District 47 Thomas “Tommy” Pope (R)

District 48 Ralph W. Norman (R)

District 49 John R. King (D)

District 50 Grady A. Brown (D)

District 51 J. David Weeks (D)

District 52 Laurie Slade Funderburk (D)

District 53 Ted Martin Vick (D)

District 54 Elizabeth R. Munnerlyn (D)

District 55 Jackie E. Hayes (D)

District 56 Mike Ryhal (R)

District 57 J. Wayne George (D)

District 58 Liston D. Barfield (R)

District 59 Terry Alexander (D)

District 60 Phillip D. Lowe (R)

District 61 Lester P. Branham, Jr. (D)

District 62 Robert Q. Williams (D)

District 63 Kristopher R. “Kris” Crawford (R)

District 64 Dr. Robert L. Ridgeway III (D)

District 65 James H. “Jay” Lucas (R)

District 66 Gilda Cobb-Hunter (D)

District 67 G. Murrell Smith, Jr. (R)

District 68 Heather Ammons Crawford (R)

District 69 Richard “Rick” Quinn (R)

District 70 Joseph H. Neal (D)

District 71 Nathan Ballentine (R)

District 72 James E. Smith, Jr. (D)

District 73 Christopher R. “Chris” Hart (D)

District 74 J. Todd Rutherford (D)

District 75 Kirkman Finlay III (R)

District 76 Leon Howard (D)

District 77 Joseph A. “Joe” McEachern (D)

District 78 Beth E. Bernstein (D)

District 79 Mia Butler Garrick (D)

District 80 Jimmy C. Bales (D)

District 81 Don L. Wells (R)

District 82 William “Bill” Clyburn (D)

District 83 William “Bill” Hixon (R)

District 84 J. Roland Smith (R)

District 85 Chip Huggins (R)

District 86 Bill Taylor (R)

District 87 Todd Atwater (R)

District 88 McLain R. “Mac” Toole (R)

District 89 Kenneth A. “Kenny” Bingham (R)

District 90 Bakari Sellers (D)

District 91 Lonnie Hosey (D)

District 92 Joseph S. Daning (R)

District 93 Harry L. Ott, Jr. (D)

District 94 Jenny A. Horne (R)

District 95 Jerry N. Govan, Jr. (D)

District 96 Lawrence “Kit” Spires (R)

District 97 Patsy G. Knight (D)

District 98 Chris Murphy (R)

District 99 James H. “Jim” Merrill (R)

District 100 Edward L. Southard (R)

District 101 Ronnie A. Sabb (D)

District 102 Joseph H. Jefferson, Jr. (D)

District 103 Carl L. Anderson (D)

District 104 Tracy R. Edge (R)

District 105 Kevin Hardee (R)

District 106 Nelson L. Hardwick (R)

District 107 Alan D. Clemmons (R)

District 108 Stephen L. Goldfinch, Jr. (R)

District 109 David J. Mack III (D)

District 110 Harry B. “Chip” Limehouse III (R)

District 111 Wendell G. Gilliard (D)

District 112 Michael F. Sottile (R)

District 113 J. Seth Whipper (D)

District 114 Robert W. “Bobby” Harrell, Jr. (R)

District 115 Peter McCoy, Jr. (R)

District 116 Robert L. Brown (D)

District 117 William “Bill” Crosby (R)

District 118 William G. “Bill” Herbkersman (R)

District 119 Leonidas E. “Leon” Stavrinakis (D)

District 120 Weston Newton (RD)

District 121 Kenneth F. Hodges (D)

District 122 Bill Bowers (D)

District 123 Andy Patrick (R)

District 124 Shannon S. Erickson (R)

**MEMBERS-ELECT SWORN IN**

 The TEMPORARY READING CLERK of the late House then commenced a call of the members-elect of the House of Representatives by roll call resulting as follows:

**ROLL CALL**

The roll call of the House of Representatives was taken resulting as follows:

|  |  |  |
| --- | --- | --- |
| Alexander | Allison | Anderson |
| Anthony | Bales | Ballentine |
| Bannister | Barfield | Bedingfield |
| Bernstein | Bingham | Bowen |
| Bowers | Branham | Brannon |
| G. A. Brown | R. L. Brown | M. S. McLeod |
| Chumley | Clemmons | Clyburn |
| Cobb-Hunter | Cole | H. A. Crawford |
| K. R. Crawford | Crosby | Daning |
| Delleney | Dillard | Douglas |
| Erickson | Felder | Finlay |
| Forrester | Funderburk | Gagnon |
| Gambrell | George | Gilliard |
| Goldfinch | Hamilton | Hardee |
| Hardwick | Harrell | Hart |
| Hayes | Henderson | Herbkersman |
| Hiott | Hixon | Hodges |
| Horne | Hosey | Howard |
| Huggins | Jefferson | Kennedy |
| King | Knight | Limehouse |
| Loftis | Long | Lowe |
| Lucas | Mack | McCoy |
| McEachern | W. J. McLeod | D. C. Moss |
| V. S. Moss | Munnerlyn | Murphy |
| Nanney | Newton | Norman |
| Ott | Owens | Parks |
| Patrick | Pitts | Pope |
| Powers Norrell | Putnam | Ridgeway |
| Riley | Rivers | Robinson-Simpson |
| Rutherford | Ryhal | Sabb |
| Sandifer | Simrill | G. M. Smith |
| G. R. Smith | J. E. Smith | J. R. Smith |
| Sottile | Southard | Stavrinakis |
| Stringer | Tallon | Taylor |
| Thayer | Toole | Vick |
| Weeks | Wells | Whipper |
| White | Whitmire | Williams |
| Willis | Wood |  |

 The foregoing were then sworn in by the Temporary CHAIRMAN.

**COMMUNICATION**

The following was received:

November 7, 2012

Speaker Robert W. Harrell, Jr.

P. O. Box 11867

Columbia SC 29211

Dear Speaker Harrell,

 On November 6, 2012, I was fortunate to be elected to represent Senate District 5 and House District 17. I am writing to notify you that I will be sworn in on Monday evening at the Spartanburg Delegation meeting to represent Senate District 6, so I will not be taking the oath of office for House District 17.

 It has been an honor and privilege to serve in the house of Representatives under your leadership. I look forward to continuing to work with you in my new position for the betterment of South Carolina.

Sincerely,

Tom Corbin

Received as information.

**STATEMENT OF ATTENDANCE**

 I came in after the roll call and was present for the Session on Tuesday, December 4.

 Rick Quinn Harold Mitchell

 Joe Neal Jerry N. Govan

 Tracy Edge James Merrill

**Total 119**

**LEAVE OF ABSENCE**

The SPEAKER granted Rep. SKELTON a leave of absence for the day.

**LEAVE OF ABSENCE**

The SPEAKER granted Rep. SELLERS a leave of absence for the day.

**LEAVE OF ABSENCE**

The SPEAKER granted Rep. ATWATER a leave of absence for the day.

**ELECTION OF THE SPEAKER**

 The Temporary CHAIRMAN announced that nominations were in order for a SPEAKER.

 Rep. LUCAS nominated Rep. ROBERT W. HARRELL, JR., of Charleston, as follows:

 Mr. Chairman, ladies and gentlemen of the House, distinguished guests; it is a privilege to stand before you today to nominate my friend, BOBBY HARRELL, for Speaker of the South Carolina House of Representatives.

 The role of House Speaker is a great honor and a great responsibility that carries with it a distinguished history. Today, as we enter into the 120th session of this General Assembly, we must focus on selecting the best person among our Membership to lead this Body, and our State, into the future.

 A leader elected by their peers - by their equals - is a high accolade in any institution.

 In the British Parliament, there is a Latin phrase used to describe the constitutional status of the Prime Minister. The literal translation of this phrase is "First Among Equals." A term that I believe applies to the decision before us today.

 Our peers include a diverse collection of extraordinary public servants representing all of our state's citizens. And Bobby Harrell has truly distinguished himself in this Body as a "First Among Equals."

 Bobby is someone who possesses the leadership, character, and drive that has led us to elect him Speaker four times. He is **OUR** leader. He is **OUR** Speaker. Not of a single Party or select Delegation, but a leader of this **ENTIRE** Body.

 I have had the privilege of working closely with SPEAKER HARRELL as this Body’s Speaker *Pro Tempore*. Over the past two years, I have learned a great deal about the mettle of this fine man. I have personally seen the dedication he gives, not only to our State and to this Body, but to each and every member seated in this Chamber today.

 Under Bobby’s leadership, this House has earned the reputation as the Legislative Body in this State that leads on reform: Workers' Comp Reform, Tort Reform and Retirement Reform. In fact, almost every major government reform in this State originates within this Chamber. During his Speakership, our fiscal stewardship has produced balanced budgets every year, increased the size of our reserve accounts and our tax cutting efforts have returned more than $17 billion back to South Carolinians.

 Colleagues, after 14 years in elected office, I have learned that power is not willingly shared in Columbia. Bobby, however, understands that this Body functions best when each Member is personally involved. For myself, no one person has fostered my development as Speaker *Pro Tempore* more than BOBBY HARRELL.

 Bobby could have easily left me on the bench to languish after my election. But that's not the kind of man he is. Instead, he willingly involved me in every aspect of running this great institution. Each day after I preside, Bobby always has a kind word to share – and generally – a piece of advice, too. It is during these chats that Bobby impressed upon me to “think need, not speed.” During our talks, I came to understand that sometimes when I was playing checkers, Bobby was playing chess - ten moves ahead of me.

 Those of you who know me, know how hard this is for me to admit. But after working closely with SPEAKER HARRELL, it is my opinion that his singular defining characteristic is that he understands the complexities of this Body and how it operates better than any Member which I have had the honor to serve.

 This next session, there are major challenges facing our State. With issues like data security and election reform, working to restore public trust in our state government is a top priority.

 Tackling these issues will not be easy. Such difficult tasks will require proven leadership. Someone who can bring out the best of every person in this Chamber and who does not shy away from the complex issues at hand.

 Fellow Members of the 120th General Assembly, it is for these reasons and many others that I am honored to nominate our friend, BOBBY HARRELL, for Speaker of the South Carolina House of Representatives.

 Thank you and may God continue to guide our decisions and our service to the people of South Carolina.

 On motion of Rep. LUCAS, nominations were closed, and with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

The Temporary CHAIRMAN appointed Reps. BINGHAM, BANNISTER, OTT, MACK, ALLISON, and MCCOY to escort SPEAKER-elect ROBERT W. HARRELL, JR., to the desk where the oath of office was administered to him by the Temporary CHAIRMAN.

SPEAKER HARRELL thereupon took the Chair and addressed the House as follows:

Mr. Chairman, ladies and gentlemen of the House, thank you. And, to my friends in the gallery who traveled here today, and especially to my family, thank you all so very much.

Jay, I want to personally thank you for those kind words. You are a great friend, and you are an exceptional leader whose qualities and contributions have not gone unnoticed in this Chamber. This House of Representatives is fortunate to have you.

I tell folks all the time that I have two of the best jobs on the planet. They are two very unique jobs that no one person can make, create -- or especially -- take for granted. And even though I am extremely blessed to currently occupy these two posts, I realize that they really do not belong to me.

They are positions that are only obtained by gaining the trust and confidence of others … and it just so happens that they are both jobs that require a pretty rigorous re-application process every two years.

The first is a seat that actually belongs to 38,000 people who live in House District 114. It is a community where my wife, Cathy, and I have raised our family, run a small business and are incredibly proud to call home. The fact that our friends and neighbors allow me to represent their voices at the State House is a true honor.

The other job is also one that I do not own but am equally honored to fill. Neither I, nor any man or woman, is entitled to the position of Speaker of the House. It belongs to you, to the 124 Members who make up the South Carolina House of Representatives. And I am honored that you allow me to hold this position.

Those of you who have just been reelected to another term know it well, and those of you here for the first time will quickly gather, this is an institution that is driven by relationships and not by pure politics.

I have served in this distinguished Body under two previous Speakers and alongside some of the finest individuals I have ever had the pleasure of knowing … people who I love being able to call my friends.

The reality that I am able to stand here today, as your Speaker, means more to me than you will ever know. It’s a distinction that carries with it great weight and even greater responsibility.

Because you have again allowed me to hold this position for another term, I realize it is imperative that as I do this job, that I strive to be fair to every region of our State, and to every member of this Body regardless of political party.

Leadership with fairness is the hallmark of this job … These sacred entrustments bestowed upon any leader are not something that can be gained at a whim, or kept over time without effort, but must be continually earned and renewed.

It is my utmost goal to work as hard as I can every day to make sure that I am worthy to hold your trust and your confidence as we all work for the betterment of our State, our communities, and our citizens.

While I’m here today because of your decision, quite frankly, the true reason I stand here at all is because God has blessed me with a wonderfully supportive family.

Cathy, you are my rock, my guiding light and have been for well over half of my life. And along with our children, Trey and Charlotte, without your support, faith, our morning prayers together where we seek God's guidance, your strength and understanding -- and believe me, the demands of holding an elected office requires much family understanding -- truly none of the accomplishments in my life would have been possible without you. Thank you all so very much.

To our returning friends and to all our newly elected Members, I congratulate you. Getting here is never easy, but for some of you here today that road was made even more difficult -- especially those of you who had to run as petition candidates.

I’m pleased for you that you made it, and now that you’re here, let’s work together to fix this election problem that hurt our democratic process so this never happens again.

The House has always been a leader when it comes to tackling major reform efforts, and those reforms -- Workers' Comp Reform, Tort Reform, our Retirement System, strengthening our Right-to-Work laws, and many others have produced real positive results...just this past month, our State's unemployment rate dropped to a 4-year low.

We must continue to focus on improving our State’s economy as we strive to make a difference.

When this House makes the decision that we believe a fundamental change to our government will benefit our citizens, we take action. We always have.

Ladies and Gentlemen, there is a lot of work to do and a lot of major issues facing us as we begin another Legislative Session. On this day, I want to thank you all for again allowing me to be your Speaker. It really does mean more to me than I can truly convey.

While our moment here in our State's long history may only be brief, together we have the opportunity to accomplish some great things for our State and for our citizens.

May God help us, and lead us in this journey. We have much to do...it's time to get to work. Thank you very much.

**ELECTION OF THE SPEAKER *PRO TEMPORE***

The SPEAKER announced that nominations were in order for SPEAKER *PRO TEMPORE.*

Rep. SIMRILL nominated Rep. LUCAS as follows:

Jay requested that I would not nominate him from my desk, but take the podium and stand up erect the entire time. What the Speaker said a few minutes ago rings true because this is a great Body and we are all both fortunate and blessed, Mr. McLeod, to be able to serve the folks back home as we do, doing what is in our best ability for them. We all do not have the same mapped course for where and how we think we ought to get there, but we all have the same end-course, which is success for the State of South Carolina. And as I think about today, this is my 21st time of standing before this Body. And I look back at my life, as a matter of fact, the Speaker and I were elected in the same class, it is a great privilege and pleasure to stand before you again to talk about a man who has become a great friend, of not only mine, but of yours. He is here today with his wife, Tracey, their son, Will, who plays for VMI, what a great honor that is. I think that Jay often relishes those facts, as we get to hear about them at the Eating Caucus. And those that are new, you may just be asked to go to one of these Eating Caucuses, Mr. Vick, as they are a great time and Mr. Lucas does wear the ceremonial sweater vest, which is an honored tradition and admired by all.

As I think about Mr. Lucas, let me give you a little background about him. He is a USC graduate with a B.A. Degree in Political Science, a Masters degree from USC in Public Administration and he finished third, Mrs. Cobb-Hunter, in his Law School Class from the University of South Carolina and was managing editor of the Carolina Law Review. Once he made it through USC, not once, not twice, but the third time, he embarked on serving his community. Prior to being elected, he had served as Darlington County attorney, a municipal judge for the city of Hartsville, Fairfield county administrator and even as finance director for Bennettsville. Of all the great things we can say about Mr. Lucas, he reaches across the aisle and he is a friend to all and works hard. And what the Speaker said a few minutes ago rings true as well, that when called upon by Mr. Harrell for this Body, he does it well. We are all blessed to have him here.

Something that you did not know about Mr. Lucas, is that he is an avid and talented tennis player and is also a champ when it comes to Andy Griffith trivia. He is also a champ when it comes to music trivia and was only bested by one person in this Body, and he told this person that he should look for work elsewhere and this person is now the Congressman for the 5th Congressional District. And I tell you all this to say that Jay Lucas is really not only blessed to be here, but we are blessed and fortunate to have him, because what he does for this Body is he raises the level. It raises the level in here to have someone of not only his intellect and his character, but who is, not only a distinguished person in South Carolina, but a devoted family man. So I ask you, Mr. Speaker, Ladies, and Gentlemen, to join me as I nominate my friend, and your friend, the Honorable James "Jay" Lucas as Speaker *Pro Tempore*.

On motion of Rep. SIMRILL, nominations were closed, and with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

The SPEAKER appointed Reps. FUNDERBURK, LONG, MUNNERLYN, and POWERS NORRELL to escort the SPEAKER *PRO TEMPORE*-elect to the Desk where the oath of office was administered to him by the SPEAKER.

SPEAKER *PRO TEMPORE* LUCAS thereupon took the Chair and addressed the House as follows:

Ladies and Gentlemen of the House, and special guests, thank you for the warm reception. And thank you, Gary, for your nomination and gracious remarks. Gary Simrill has been one of the best friends a person could have over the past fourteen years. But Gary’s friendship comes with a price. Shakespeare once said: “There’s many a man that has more hair than wit.” Well, Gary has more wit than hair if you can believe that. After fourteen years of practical jokes, he is still like a brother to me.

My wonderful wife, Tracy, is here today. The old saying that behind every great man there is a woman rolling her eyes certainly applies to Tracy. When I was first elected to the House, Will, our son, was in the first grade. Will is now a junior in college and like many of your spouses, she has done all of the heavy lifting back home for our family since I began my service in Columbia. There is no doubt I out-kicked my coverage twenty-two years ago when I married Tracy. So please join me in welcoming her to the South Carolina House of Representatives for only the third time in fifteen years.

If you would allow me, I want to begin my remarks by thanking Charles Reid, Bubba Cromer, and the ladies at this desk. Presiding with their invaluable assistance only confirms what I have known for years – that we have the absolute best people working, not for us, but with us in this Body every day. Each one of them has been so very helpful to me as I continue to learn how to do this job. Their patience is infinite. Their knowledge is exponential. They do not lie very well, however, because on those days I know I struggled or was not at my best, to a person, their remarks to me have always been so kind and uplifting. Then I would get back to my desk and my friend, Representative Murrell Smith, would say: “Boy, you really stunk it up today”, bringing me back to reality. So, to each of you folks who work on the desk, thank you from the bottom of my heart for all of your assistance and kindness, and I look forward to working with each of you over the next two years.

To each of you, my friends and colleagues, a special thanks for the privilege of allowing me to serve as your Speaker *Pro-Tempore*. Serving alongside each of you, representing the citizens of our wonderful State, remains a labor of love and the privilege of a lifetime.

In 1987, William Hurt asked Albert Brooks in the movie Broadcast News, “What do you do when your real life exceeds your dreams?” I feel like that at special times in my life like today. But I also remember Rodney Dangerfield’s signature line: “I’m alright now but you should have seen me fourteen years ago”.

No one in this Body ever had a more ignominious beginning to a political career than me. Fourteen years ago, I was told on election night that I had lost my bid to become a Member of this Body. To this day, the only election night speech I have ever given is a concession speech. At the Organizational Session fourteen years ago, Darlington County was the last County drawn for seating selection. Since I was the youngest member of my delegation, I was assigned the only vacant seat left in this Chamber to begin my career. I was truly the 124th member of this Body. Since I was late being certified, I was assigned to the only suite with an empty office along with the late Mickey Whatley, former Senator Jakie Knotts and current Senator Chip Campsen. How that plum office assignment went unclaimed for six months still baffles me to this day. As badly as the first day of the Organizational Session went, I knew the second day of the Session would go much better. I was a cinch to be placed on the Judiciary Committee given my extensive legal background, and I looked forward to my committee assignment. SPEAKER WILKINS was not nearly as impressed with me as I was, however, assigning me instead to the 3M Committee, a position I now value today as much or more than any I have held in this Body. On that afternoon, however, I sulked home secure in the knowledge that if my political career was not dead, it was in mortal danger of expiring.

I am not exactly sure how I went from losing my first election to the tremendous honor bestowed on me today. But in the words of Maya Angelou, “I wouldn’t take nothing for my journey now”.

I want to welcome our nineteen new Members who are beginning their journeys today. By sharing with each of you the story of my humble beginnings in this Body, I hope you will understand that in this Body, you may truly be whatever you resolve to be. At the commencement of your journey, however, let me simply share with you the words of Confucius, who said, “the man who moves mountains begins first by carrying away small stones.”

Since we were last together, I have had a birthday. I am now closer in age to sixty than to age fifty for the first time in my life. On my birthday, I was reminded of the legendary words of Roger Waters from Pink Floyd’s classic song “Time”. The words go: “And you run and you run to catch up with the sun but it’s sinking. Racing around, to come up behind you again. The sun is the same in a relative way but you’re older. Shorter of breath and one day closer to death.” Thoughts of time are now my constant companion. It’s been said of time that it is always a good time – if we know what to do with it. As we begin this 120th Legislative Session may our best, most successful times be those yet to come. And may we – like President Abraham Lincoln – pray not that ‘God is on our side.’ Rather, ‘pray that we’re on God’s side.”

Thank you for this tremendous privilege. May God bless you and the State of South Carolina. Thank you very much.

**ELECTION OF THE CLERK**

The SPEAKER announced that nominations were in order for the Clerk of the House.

Rep. ALLISON nominated MR. CHARLES F. REID of Columbia as follows:

I first met Charles Reid in 1995. He had joined the Office of House Speaker, David H. Wilkins, as Legal Counsel to the Speaker. In this position he managed, conducted, and supervised litigation on behalf of the South Carolina House, served as chief staff attorney for legislative redistricting, and provided legal counsel to the Speaker of the House, as well as the House Rules Committee, the House Ethics Committee and the House Ways and Means Committee. In 1998, in addition to these duties, he was appointed Chief of Staff to the Speaker's Office. Charles finished Dreher High School, and Wofford College with numerous academic honors, and in 1993, he graduated from the University of South Carolina School of Law.

Charles has also served in his legal career in the private sector, early on with Davis and Lavender, P.C., and later with the McNair Law Firm, P.A., where he practiced in the areas of governmental affairs, civil rights, redistricting litigation, procurement law, and South Carolina Constitutional Law. In January of 2004, Charles returned to employment with the South Carolina General Assembly as General Counsel to the South Carolina House. In November of 2004, he was elected Clerk of the South Carolina House and was unanimously re-elected in 2006, 2008, and 2010. For the past eight years, he has, as our Clerk, served as Senior Attorney and Chief Operating Officer of the South Carolina House. In this role, he supervises more than 79 fulltime Employees, and he will tell you; "In addition to the honor and privilege of working for the Membership, I have the blessing of working with the House staff, and the staff of Legislative Council and Legislative Printing, people behind the scenes who work very hard without people really knowing or understanding the great effort put forth daily to enable this institution to operate". He is responsible for parliamentary procedures, personnel matters, agency administration, financial matters and staff training. In his 20 years of service, he has had the honor and opportunity to appear in South Carolina Circuit Court, South Carolina Court of Appeals, and the South Carolina Supreme Court, as well as several appearances before the South Carolina Federal District Courts. Charles is also an adjunct professor at the USC School of Law, where for seven years he has taught a class entitled, "The Legislative Process."

Charles is the son of Reverend and Mrs. George B. Strait and the late Reverend William C. Reid. I am proud to have Charles' mother and stepfather as my constituents in Greer. Charles' pride and joy is his wife, Miss Taj Burnside and their three daughters, Callie, Emily, and Lilly. They reside in Columbia and serve actively at Shandon United Methodist Church. Does he have spare time? Only to spend with his daughters, work in the yard, hunt and fish with family and friends. These are only a few important reasons that it gives me great honor and pleasure to nominate Charles F. Reid as Clerk of the South Carolina House of Representatives.

On motion of Rep. ALLISON, nominations were closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

The oath of office was administered to him by the SPEAKER.

**ELECTION OF THE SERGEANT AT ARMS**

The SPEAKER announced that nominations were in order for the Sergeant at Arms.

Rep. PITTS nominated MR. MITCHELL G. DORMAN of Kershaw as follows:

Ladies and Gentlemen of the House, friends and family members in the balcony, I would like to place in nomination the name of Mitch G. Dorman, for Sergeant at Arms. He began with the South Carolina House of Representatives in 1983, was promoted to Assistant Director of Security in 1986, and first elected Sergeant at Arms on December 3, 1990. He is a graduate of USC, Lancaster, in Criminal Justice. He chose to come to the upstate, where he found his wife, Miss Leah Blanton of Spartanburg. They have a son, Nicholas, age 14.

Mitch and his staff strive to operate in a non-partisan manner, dedicated and loyal to the Members of the House of Representatives. He is also loyal to the protection of the constituents that come to visit us in the State House. He maintains order in the lobby, when sometimes there are protestors that are not in agreement with what our Body is doing. Mitch also helps our disabled constituents navigate through the lobby, into the balcony, and around our facilities. He also has a proven track record of navigating a sea of 124 egos and sometimes, gently reminding us to be civil during contentious and heated debates. It is not easy for those like myself that have been trained to protect and serve, as have other Members of this Body, to turn all the security over to someone else. Especially at times when public and elected officials come under attack, sometimes violently or physically under attack. I feel very secure in nominating my good friend and fellow Member at the thin blue line to continue to protect and provide for the integrity of this Body..Mitch Dorman

On motion of Rep. PITTS, nominations were closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

**ELECTION OF THE READING CLERK**

The SPEAKER announced that nominations were in order for the Reading Clerk.

Rep. ERICKSON nominated MR. JAMES L. MANN CROMER, JR., as follows:

I stand before you to nominate James L. Mann Cromer, Jr., affectionately known in this Body as "Bubba", for Reading Clerk of the South Carolina House of Representatives. I would be amiss if I did not welcome his parents, J. Lewis and Carole Cromer, who are in the gallery today, and I have it on good authority that they have not been here since Bubba retired from this Body in 1998, so it is an auspicious day. Thank you so much for joining us.

The position of Reading Clerk is like a Jack of all trades and a lot goes on at that desk and we all know that it takes all of those people to get it done. And isn't it wonderful to have someone with the special skill set that Bubba Cromer has to get it done? He was born April 19, 1963, and I say that because that is two days before me and so we have a birthday week in common and also, we are both Catholic. We are both deep in our faith and share our faith often, as we attend Mass together when I am here. He was there to attend the first Mass after my parents had passed away and we were at St. Joseph's and it was nice to have a Member of this Body there. He did attend Clemson after graduating from Dreher High School. Yeah, I know those Tigers and he had quite a distinguished career there and was named for all sorts of awards, and was in an SAE Fraternity and was actually on the Speakers Bureau, can you imagine Bubba wanting to talk? It was a trend and he got into it and ended up at the University of South Carolina School of Law. So, we got the Carolina thing going and as a Columbia boy, he returned home to go to law school. I should note that Jay was third in his class and Bubba was 103 in his class. But I believe that they both got a diploma and in this world, we all know that the "C" students run this world, so I am very proud of Bubba.

He was a member of this Body from 1991-1998, and interestingly enough, he was an Independent Member of this Body and actually had to sue the State of South Carolina to get on the ballot as an Independent Candidate. I just thought you may appreciate that little fact after the little problem with our ballot situation this year. He defended himself all the way through the process at age 23, a little bit of an overachiever, don't you think? Well, I have known Bubba well, he is a good friend, and I can tell you that his duties behind the desk are taken very seriously, he keeps us on task, he has fun with all of our names, and in recognizing us all at our desks and he also understands what an honor it is to be here. He takes all the work that we do and bills that go across the desk, to heart. I call him the "meerkat". That was coined by Deborah Long, because he sits behind the desk and does this, moving his head back and forth as he watches everything that is going on. He always knows who is where and pretty much can find you when it is time for you to be recognized. He enjoys writing, and he wrote a Novel, "*Blue*" about his maternal grandmother, Aubrey Rochelle. He is also a filmmaker, and he loves nothing better than hanging out with his dog, Casper, in his cabin, which I have had the opportunity to visit. I got to hang out with the bears, visit the beautiful woods, and it's a piece of heaven on earth, I can tell you.

So, to take on the job of keeping us all straight and assisting the wonderful staff, our Speaker, and our Clerk, I would honorably nominate Mr. James L. Mann "Bubba" Cromer, Jr.

On motion of Rep. ERICKSON, nominations were closed, and with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

### ELECTION OF THE CHAPLAIN

The SPEAKER announced that nominations were in order for the Chaplain.

Rep. HODGES nominated REV. CHARLES E. SEASTRUNK, JR., of Columbia, as follows:

My dear colleagues of the House, I gives me a great deal of pleasure to place in nomination the name of our Chaplain, Reverend Charles E. Seastrunk, Jr. He has served as Chaplain of this House since 2002. We have also been able to know him in an intimate way and I have gotten to know him because he is a fellow colleague in the ministry. He serves as a supply pastor and he is a fellow chaplain of the United States Air Force. David and some other folks gather on most Thursday mornings for a period of prayer and study, so that we can renew our strength for having gone through a tumultuous week. On most occasions, we will find that our Chaplain Seastrunk is there sharing with us and uplifting us. We look forward to his prayers when we assemble in this Chamber. His prayers lift us above the things that separate and divide us and ushers us into the presence of the One who unites us. Many times when we enter the Chamber, we enter after victory or even success, and his prayers often humble us. Many times, we enter having experienced defeat, challenges, sometimes we walk from a freshly dug grave, but his prayers encourage us. He is what one writer calls "a wounded healer." His mind moves one at a time so that he can tend to the wounds of all. We are blessed to have such a person as Chaplain Charles E. Seastrunk. His prayers are often inclusive as he lifts the staff, the House Members, the pages, and yes, our defenders of freedom. We are encouraged to have him for such a time as this. I place in nomination Sarah Truesdell's husband, Charles's and Susan's father, my friend, our friend, our Chaplain, Charles E. Seastrunk, Jr.

On motion of Rep. HODGES, nominations were closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

### OFFICERS SWORN IN

The SPEAKER administered the oath of office to the Sergeant at Arms, Mr. Mitchell G. Dorman, the Reading Clerk, Mr. James L. Mann Cromer, Jr., and the Chaplain, Rev. Charles E. Seastrunk, Jr.

**HOUSE RESOLUTION**

The following was introduced:

H. 3000 -- Reps. Harrell and Lucas: A HOUSE RESOLUTION TO PROVIDE A PROCEDURE FOR ALLOTTING SEATS TO MEMBERS OF THE HOUSE OF REPRESENTATIVES FOR THE 2013 AND 2014 SESSIONS OF THE GENERAL ASSEMBLY.

Be it resolved by the House of Representatives:

That for the purposes of allotting seats to members of the House of Representatives for the 2013 and 2014 Sessions of the General Assembly the following procedure is adopted:

 “As soon as practicable, after the House has been organized, the seats of the members must be allotted as follows:

 The Clerk shall prepare a ballot for each county with only its name printed on it. These must be put in a closed box. The Speaker shall then direct a person or persons to draw them out, one by one. As each ballot is drawn, the delegation from that county shall select their seats, in accordance with the county in which the member resides. In the event a member’s district consists of more than one county, the member may elect to be seated with the delegation the member desires, provided the member indicates the preference to the Clerk of the House prior to balloting. No delegation may select more than one seat on the main aisle.”

Be it further resolved that when the House adopts its rules for the 2013 and 2014 Sessions of the General Assembly, they shall incorporate the above provision as part of the Rules of the House of Representatives with an appropriate numerical designation.

The Resolution was adopted.

**ALLOTMENT OF SEATS**

The SPEAKER then announced that the House would proceed to the allotment of seats, the names of the counties being drawn from a container by Emily Evelyn Reid, daughter of Charles Reid, Clerk of the House.

### ALLOTMENT OF SEATS

Alexander 46 Allison 49

Anderson 30 Anthony 111

Atwater 25 Bales 110

Ballentine 23 Bannister 40

Barfield 19 Bedingfield 55

Bernstein 82 Bingham 27

Bowen 103 Bowers 109

Branham 47 Brannon 45

Brown, G. A. 31 Brown, R. L. 32

Chumley 51 Clemmons 43

Clyburn 16 Cobb-Hunter 80

Cole 61 Crawford H. 37

Crawford K. 98 Crosby 114

Daning 115 Delleney 7

Dillard 39 Douglas 78

Edge 94 Erickson 113

Felder 10 Finlay 83

Forrester 48 Funderburk 96

Gagnon 87 Gambrell 86

George 84 Gilliard 34

Goldfinch 42 Govan 90

Hamilton 41 Hardee 11

Hardwick 36 Harrell 118

Hart 73 Hayes 85

Henderson 58 Herbkersman 122

Hiott 14 Hixon 3

Hodges 1 Horne 119

Hosey 17 Howard 62

Huggins 22 Jefferson 65

Kennedy 21 King 76

Knight 77 Limehouse 29

Loftis 57 Long 112

Lowe 99 Lucas 6

Mack 35 McCoy 107

McEachern 79 McLeod M. 72

McLeod W. 97 Merrill 121

Mitchell 91 Moss, D. C. 5

Moss, V. S. 56 Munnerlyn 88

Murphy 120 Nanney 59

Neal, J. H. 63 Newton 124

Norman 4 Ott 81

Owens 18 Parks 70

Patrick 123 Pitts 68

Pope 8 Powers Norrell 108

Putnam 101 Quinn 26

Ridgeway 95 Riley 71

Rivers 104 Robinson-Simpson 38

Rutherford 75 Ryhal 44

Sabb 105 Sandifer 117

Sellers 89 Simrill 9

Skelton 15 Smith, G. M. 92

Smith, G. R. 54 Smith, J. E. 74

Smith, J. R. 2 Sottile 28

Southard 66 Spires 20

Stavrinakis 106 Stringer 53

Tallon 60 Taylor 13

Thayer 100 Toole 24

Vick 67 Weeks 93

Wells 12 Whipper 33

White 102 Whitmire 116

Williams 64 Willis 69

Wood 50

Rep. CLYBURN moved that the House recede until 3:15 p.m., which was agreed to.

**THE HOUSE RESUMES**

At 3:15 p.m. the House resumed, the SPEAKER in the Chair.

**ACTING SPEAKER WEEKS IN CHAIR**

**POINT OF QUORUM**

The question of a quorum was raised.

A quorum was later present.

**SPEAKER IN CHAIR**

**HOUSE RESOLUTION**

The following was introduced:

H. 3001 -- Reps. Harrell, Lucas, Clemmons, Hardwick, Howard, Owens, Sandifer and White: A HOUSE RESOLUTION TO ADOPT THE RULES OF THE HOUSE OF REPRESENTATIVES FOR THE 2013 AND 2014 SESSIONS OF THE GENERAL ASSEMBLY.

Be it resolved by the House of Representatives:

That the following rules are adopted as the Rules of the House of Representatives for the 2013 and 2014 Sessions of the General Assembly:

“**Rule 1**

**The Speaker**

**Speaker *Pro Tempore***

 **1.1** The Speaker shall take the chair on every legislative day precisely at the hour to which the House adjourned at the last sitting, immediately call the members to order, cause prayer to be said, the Journal of the previous proceedings to be corrected, and if a quorum be present, proceed to other business.

 **1.2** The Speaker shall preserve order and decorum, and, in case of disturbance or disorderly conduct in the galleries, or in the lobby, may cause the same to be cleared. Any person guilty of contempt of the House may be ordered into custody by the House and dealt with as it deems proper.

 **1.3** If any member, in speaking or otherwise, transgresses the Rules of the House, the Speaker shall call him to order, or any member may call such transgressions to the attention of the Speaker who shall call the transgressor to order. If repeated cries of order are ineffective, the Speaker may call a member by name, and if the Speaker deems it necessary, he shall state the offense committed. The member may be heard in his exculpation and shall withdraw, and the House shall consider his punishment or any further proceedings to be had.

 **1.4** The Speaker shall sign all acts, joint resolutions, memorials, writs, warrants, and authorizations for payment or other papers authorized by the House.

 **1.5** The Speaker shall decide all points of order, subject to an appeal by any member, and he may require the member raising a point of order to cite the rule or other authority in support of the question. With unanimous consent, a member may withdraw a point of order the member has raised. Upon appeal, no member shall speak more than once and for no longer than twenty minutes each, except by permission of the House.

 **1.6** The Speaker may vote in all cases (except when he may be personally or pecuniarily interested). If the House be equally divided, the question shall be decided in the negative. The presiding officer may give information or explain any matter before the House; he may speak on points of order in preference to other members, and as often as he may deem necessary, but he shall not enter into any debate or endeavor to influence any question before the House while presiding. Provided, the Speaker, in his discretion, may address the body concerning matters of importance to the House.

 **1.7** The Speaker shall be elected on the opening day of the organizational session by the membership of the House.

 **1.8** The Speaker *Pro Tempore* shall be elected on the opening day of the organizational session. The Speaker *Pro Tempore* shall preside in the absence of the Speaker. *Provided*, the Speaker or the Speaker *Pro Tempore*, whoever may be presiding at the time, may name a member to preside, but such substitution shall not extend beyond an adjournment. In the absence of the Speaker and the Speaker *Pro Tempore* for more than one day, the House may elect a Speaker *Pro Tempore* to serve until the return of the Speaker or Speaker *Pro Tempore*. When the Speaker *Pro Tempore* is absent for more than three consecutive statewide legislative days, the House of Representatives may elect an acting Speaker *Pro Tempore* who shall serve until the return of the Speaker *Pro Tempore*. The acting Speaker *Pro Tempore* may continue to serve on any committee to which he has been appointed.

 **1.9** All committees shall be appointed by the Speaker, unless otherwise provided for by rule or by law, except Senatorial and Gubernatorial appointees and *ex officio* members of the House. The Speaker shall name the members constituting each committee in alphabetical order. The Chairman shall be elected by the respective committees during the organizational session. If any subsequent vacancy shall occur in a committee’s chairmanship, the election of a new committee chairman shall take place at the time and date to be set by the presiding officer of the respective committee. The committees may at their discretion elect a Vice‑Chairman and such other officers as they may choose.

 **1.10** The Speaker is responsible that all amendments ordered by the House be correctly made and that the attention of the House be called to all amendments made by the Senate since the matter was before the House. All Senate amendments to matters previously considered by the House and all House amendments to matters previously considered by the Senate shall, after adoption, be printed by use of distinctive type interlineation in such a manner as to reflect in one text the original version and the language of the amendment.

 **1.11** If the Speaker or Speaker *Pro Tempore* resigns from such position, he shall submit his resignation to the Clerk of the House in writing. This procedure shall be followed in the case of the resignation of any elected officer of the House.

 **1.12** In case of emergency, the Speaker has the authority, when, in his opinion, it is impractical or dangerous to hold a regularly scheduled session(s) of the House of Representatives, to declare the body adjourned to some other time. Such actions are to be taken only in times of great emergency including, but not limited to, natural disasters, severe weather, and Acts of God.

 When, due to great emergency or through inadvertence, the House is adjourned without provision for the next meeting, the Speaker may issue a call specifying the time for the next meeting.

**Rule 2**

**Elected Officials**

**Clerk, Reading Clerk, Chaplain, and**

**Sergeant At Arms**

 **2.1** The Clerk shall be elected by the membership of the House for a term of two years. This election will take place on the opening day of the organizational session.

 **2.2** The Clerk of the preceding session shall, at the beginning of the organizational session of the House, call the members to order, proceed to call the roll of members in alphabetical order, and pending election of a Speaker, Speaker *Pro Tempore*, or temporary officers, preserve order and decorum, and decide all questions of order subject to appeal by any member. The duties of this section may be delegated by the Clerk to any member of the House.

 **2.3** The Clerk shall cause to be kept a correct Journal of the proceedings of the House, and this Journal shall be numbered serially from the first day of each session of the Legislature. He shall not permit any books or papers belonging to the House to be taken out of his custody other than in the regular course of business and then upon receipt when he deems necessary. He shall report any missing papers to the Speaker.

 **2.4** The Clerk of the House shall cause to be prepared and laid on the desks of the members every morning an itinerary of the day’s business to be called the Calendar. This Calendar shall include the orders of the preceding day and all continued matters arranged according to priority, and numbered from the commencement of the session, every matter being introduced and newly numbered after every new order upon it.

 **2.5** The Clerk shall assist, under the direction of the Speaker, in taking roll call or division votes.

 **2.6** The Clerk shall issue all pay certificates for *per diem* and mileage and incidental expenses upon the order of the Speaker, the signature of the Speaker being attested by the Clerk. The Clerk shall also attest to all writs and warrants and to the passage of all bills, resolutions, and memorials.

 **2.7** The Clerk shall prepare in writing, present to the Speaker for his signature, and send all messages to the Senate and elsewhere as ordered by the House.

 **2.8** The Clerk shall also be charged with the duty of having executed, in a prompt and accurate manner, all the printing required by the Rules or orders of the House.

 **2.9** The Reading Clerk shall be elected by the membership of the House for a term of two years. This election will take place on the opening day of the organizational session.

 **2.10** The Reading Clerk shall read all papers to be read at the desk, which the Speaker may direct him to read and shall assist in taking any roll call votes at the Speaker’s direction. Upon ordering of a roll call vote, or upon a quorum call, the electronic roll call system is to be used following the procedure of Rule 7.3. When the electronic roll call system is not operating in any manner, the Reading Clerk shall call the roll and take the names of all who vote ‘aye’ and all who vote ‘nay’ which shall be entered in the Journal and the provisions of Rule 7.3 shall not apply. If, during the course of an ordered electronic roll call, the electronic roll system malfunctions, in such a manner that the number of aye votes and the number of nay votes are recorded but the names of the members so voting are not recorded, the vote shall stand, and any member desiring to publish a record of his individual vote may submit a statement which shall be printed in the House Journal. If, during the course of an ordered electronic roll call, the electronic roll call system malfunctions in such a manner as to record no accurate information as to the vote totals, the question shall be resubmitted and the Reading Clerk shall call the roll of the members as hereinabove specified.

 *Provided*, however, in the case of a malfunction in the electronic roll call where the roll call to be taken is mandated by the Constitution or Statutes, any malfunction will void the roll call and it will be retaken.

 *Provided*, that whether the ayes and nays are taken by electronic roll or otherwise, they shall be recorded by the Clerk in the Journal.

 **2.11** The Chaplain shall be elected by the membership of the House for a term of two years. This election will take place on the opening day of the organizational session.

 **2.12** The Chaplain shall provide spiritual guidance for the membership of the House.

 **2.13** The Sergeant at Arms shall be elected by the membership of the House for a term of two years and shall be under the direct supervision of the Speaker of the House. This election will take place on the opening day of the organizational session.

 **2.14** The Sergeant at Arms shall assist the Speaker in maintaining order and decorum.

 **2.15** The duties of the Sergeant at Arms, shall be as provided for in Chapter 3 of Title 2, Code of Laws of South Carolina, 1976, as amended.

 **2.16** The Sergeant at Arms may designate, subject to the approval of the Speaker, other staff members of the House to assist the Speaker and the Sergeant in performing such duties as they may direct, in accordance with Chapter 3 of Title 2, Code of Laws of South Carolina, 1976.

**Rule 3**

**Members and Membership**

 **3.1** Every member shall be within the House Chamber during its sittings unless excused or necessarily prevented, and may vote on each question put, except that no member shall be permitted to vote on any question immediately concerning his private rights as distinct from the public interest.

 **3.2** The Speaker may excuse any member from attendance on the House and its committees for any stated period upon reason shown, and such excused absence shall be noted in the Journal.

 **3.3** Any member absenting himself from attendance on the House or its committees and having in his possession any original papers relating to the business before the House, shall leave such original papers with the Clerk before departing from the Capitol.

 **3.4** Any member who enters after the roll call at the opening of the daily session and notifies the Clerk in writing shall thereafter be shown as present for such day. *Provided*, that no person except those recorded present shall be eligible for subsistence for that day.

 **3.5** In cases of contest for a seat in the House, notice setting forth the grounds of such contest shall be given by the contestant to the House within three calendar days after the House first convenes, and in such case, the contest shall be determined by majority vote as speedily as reasonably possible.

 **3.6** When the House is called to order, every member shall take his seat and shall act with decorum at all times when the House is in session. Every member, when about to speak, shall rise from his seat and respectfully address himself to ‘Mr. Speaker’ and shall avoid disrespect to the House or the Senate and all personalities, observe decency of speech, and shall confine himself to the question under consideration.

 The Speaker, when duly addressed by a member, shall hear from the member who, in the Speaker’s opinion, shall arise first, by identifying the member. The Reading Clerk shall not turn on any member’s microphone until the Speaker has recognized that person.

 **3.7** No employee of the House shall personally interest or concern himself with the passage or consideration of any measure whatsoever. If any employee does so, it shall be grounds for summary dismissal. While within the House Chamber during session, no one may personally, or in an official or representative capacity, concern himself with the passage or consideration of any measure whatsoever, except sitting members of the General Assembly and House staff in the usual and ordinary performance of their duties as an employee of the House. The Speaker may require immediate removal from the House Chamber of any person, who violates the provisions of this rule.

 **3.8** No member shall speak more than twice on the same question without leave of the House, except merely to explain his meaning, even if the debate on the question should be continued for many days. In the case of a matter requiring more than one reading, this limitation applies separately to each reading, *provided*, however, notwithstanding that a matter may move from the uncontested to contested Calendar or vice versa within the same reading, the limitation applies to the entire reading. If a member has the floor and is addressing the body, he shall not lose the floor by asking a question of any member of the body.

 **3.9** If any member shall be absent without leave and a quorum is not present, the Speaker shall instruct the Sergeant at Arms or appoint other authorized persons to send for such member or members and take them into custody. The outer doors to the Chamber shall be closed. The Speaker shall order that security personnel shall be posted at the outer doors of the Chamber and no member shall be permitted to leave the second floor of the State House without written leave of the Speaker. The Speaker may also order that security personnel be posted at all entrances to the State House to prevent members from leaving without authorization. An absent member who is taken into custody after the invocation of this rule shall pay for all reasonable expenses incurred which shall include mileage at the prevailing rate for state employees. In addition, such absent member who is taken into custody shall forfeit his entitlement to subsistence and mileage for that legislative day and shall be subject to any additional penalties the Speaker deems necessary. Should a quorum be present and ten members request, such absent member or members shall be sent for as herein provided and subjected to the same penalties. The Speaker shall strictly enforce the pro­visions of this rule. *Provided*, however, in the case of a member not being present when Rule 3.9 is invoked and such member voluntarily returns without being taken into custody, he shall not be subject to the penalties of this section. The invocation of this rule may be rescinded by a majority vote of those present and voting.

 **3.10** As soon as practicable, after the House has been organized, the seats of the members shall be allotted as follows:

 The Clerk shall prepare a ballot for each county with only its name printed on it. These shall be put in a closed box. The Speaker shall then direct a person or persons to draw them out, one by one. As each ballot is drawn, the delegation from that county shall select their seats, in accordance with the county in which the member resides. In the event a member’s district consists of more than one county, the member may elect to be seated with the delegation the member desires, provided the member indicates the preference to the Clerk of the House prior to balloting. No delegation may select more than one seat on the main aisle.

 **3.11** As soon as practicable, after the House has been organized, office space of members must be allotted as follows:

 Each member shall choose an office in the Blatt Building on the basis of their seniority in the House in accordance with a floor plan prepared by the House Operations and Management Committee with the consent of the Speaker. A member who has served in the immediately preceding session shall have first preference on retention of his previously assigned office. The House Operations and Management Committee is authorized to make necessary adjustments in the assignment of office space with the consent of the Speaker when available space cannot be reasonably adjusted to conform with the county selections made pursuant to this subsection.

 The provisions of this rule do not apply to office space for the Speaker, Speaker *Pro Tempore*, Chairman of the Rules Committee, Chairman of the Invitations and Memorial Resolutions Committee, Chairman of the Interstate Cooperation Committee and Chairmen of any other standing study committees or any other caucus having assigned space in the Blatt Building.

 **3.12** Members and employees of the House, other than pages, shall observe appropriate and dignified attire which means coat, trousers, shirt and tie for males and dress, skirt, slacks and blouse, or pants suits for females, unless otherwise excused by the Speaker in his sole discretion.

 **3.13** Each legislative caucus occupying office space in the Blatt Office Building may pay to the Clerk of the House of Representatives an amount, determined by the Clerk, for the use of office space by each caucus. Each caucus may also pay an amount for use of state‑owned office related equipment including, but not limited to, copying services, computer equipment, and software and related connection charges for internet access and telephone equipment and service. Each legislative caucus may make payment for equipment and services in the manner to be determined by the Clerk.

**Rule 4**

**Committees**

 **4.1** Committee appointments: see Rule 1.9.

 **4.2** As soon as practicable after the members have been sworn in and have taken their seats, the following Standing Committees, except the House of Representatives Legislative Ethics Committee, and the House of Representatives Committee on Operations and Management, shall be appointed with the indicated number of members appointed thereto:

 1. Committee on Ways and Means – 25.

 2. Committee on the Judiciary (Privileges and Elections) – 25.

 3. Committee on Agriculture, Natural Resources and Environmental Affairs (Fish, Game, Forestry, State Parks, Rural Development, Environmental Affairs) – 18.

 4. Committee on Education and Public Works (Education, Highways, State House and Grounds, Railroads, Aviation) – 18.

 5. Committee on Medical, Military, Public and Municipal Affairs (Medical Affairs, Social Security, Penitentiary, State Hospital, Police Regulations, Military Affairs, Veteran’s Affairs) – 18.

 6. Committee on Labor, Commerce and Industry (Labor, Commerce and Manufacturing, Banking and Insurance, Merchants and Mercantile Affairs) – 18.

 7. Committee on Rules – 15.

 8. Committee on Interstate Cooperation (membership limited to 5, under 1976 Code, Sec. 1–17–30) – 5.

 9. House of Representatives Legislative Ethics Committee – ~~6~~ 10.

 10. Committee on Invitations and Memorial Resolutions (Invitations, Resolutions memorializing the Federal or State Government or any official or agency thereof, sympathy, and congratulatory Resolutions) – 5.

 11. Committee on Operations and Management of the House of Representatives (Advisory to the Speaker on personnel, administration and management of facilities, including management of the Blatt Building) – 7.

 Each member shall serve on one and only one of the first six Standing Committees listed above. However, a member of these Committees may also serve on any one of the following Committees: Committee on Rules, Committee on Interstate Cooperation, Committee on Ethics, Committee on Invitations, or Committee on Operations and Management of the House of Representatives. The Speaker, Speaker *Pro Tempore*, and Clerk shall serve as *ex officio* members of the Committee on Operations and Management of the House of Representatives but no chairman of any other standing committee shall serve as a member of such committee.

 *Provided*, that the members of the Committee on Operations and Management of the House of Representatives (advisory to the Speaker on personnel, administration and management of facilities), and the members of the House of Representatives Legislative Ethics Committee, shall be elected by the members of the South Carolina House of Representatives, their terms to be coterminous with their respective term of office.

 *Provided*, that the Committee on Education and Public Works shall be deemed to be the Committee on Education, and the Committee on Medical, Military, Public and Municipal Affairs shall be deemed to be the Committee on Military Affairs and the Committee on Medical Affairs, in all cases where the statutes provide for the Chairman of these committees to perform *ex officio* duties.

 *Provided*, that the Committee on Operations and Management of the House of Representatives with the consent of the Speaker may formulate such policies as it deems advisable relating to House personnel. Such policies shall be distributed to the members and must be adopted by majority vote of the House by House Resolution.

 *Provided*, that except as herein provided neither the Speaker nor Speaker *Pro Tempore* shall be a member of any of the foregoing Standing Committees.

 No member shall be appointed on a committee before he has been sworn in and has taken his seat. Any member who is sworn in after the general announcement of the committee shall, within a few days afterward, be placed by the Speaker on a Standing Committee whose number of members will not thereby be extended beyond the number provided in these rules.

 After a committee has been appointed, no addition to it or change shall be made, except to fill a vacancy or to remove a member for conduct unbecoming a member.

 *Provided*, that in filling a vacancy, the assignment of any member may be changed from another committee to fill such vacancy.

 **4.3** Unless otherwise ordered, committees shall have jurisdiction only over matters pertaining to the subjects indicated by the names of the respective committees, and to the subject matter indicated in parenthesis following the names.

 **4.4** Committees shall meet regularly to consider pending legislation in the room assigned for their use by the Speaker. Notice of date, time, and place of such meetings shall be posted on a bulletin board provided for this purpose in the lobby. Whenever feasible twenty‑four hour advance notice shall be given for all committee meetings. Such notice shall be mailed to the members by the committee chairmen when the House is not in session. Notice of regular and special meetings shall also be given by the administrative assistants to each member of the committees and to the Sergeant at Arms in the manner the committee deems proper. Information as to subcommittee meetings shall be provided by the administrative assistants to the Sergeant at Arms and shall be available at the Sergeant at Arms’ desk. Failure of notice of any meeting shall not invalidate committee action unless bad faith is shown. No committee shall meet while the House is in session without special leave by the Speaker. *Provided,* however, that the Committee on Rules and any committee of conference or free conference, may sit at any time and may report its message to the House at any time.

 No committee shall sit unless a quorum be present and all bills introduced by committees must carry the statement of the Chairman that the bill has the approval of two‑thirds of the membership of the committee, except that the State Appropriations Bill, the Supplemental Appropriations Bill, a Rescission Bill, and the Deficiency Appropriations Bill may be introduced by a majority vote of the Ways and Means Committee.

 No committee shall introduce a bill pertaining to subject matter over which it has no jurisdiction.

 Notice in writing of all public hearings shall be given by Committee Chairmen to the Clerk of the House at least five calendar days prior to the date fixed for the hearing, such notice to be published in the House Calendar. Notice in writing of all committee action taken on a bill or resolution shall be given to the principal author thereof.

 No statewide bill directly appropriating money shall be considered by the House until after such bill has been referred to the Ways and Means Committee, *provided,* however, a statewide bill which directly or by implication provides for *per diem*, subsistence or mileage in connection with the subject matter of the bill, but does not otherwise directly appropriate money, shall not be required to be referred to the Ways and Means Committee.

 After the House sets a bill for Special Order pursuant to Rule 6.3, no point of order may be raised regarding its reference to committee, however, the House by majority vote may commit or recommit a bill or other matter under debate.

 No committee action shall be taken on a bill or resolution except at a regular or called meeting, but this shall not apply to resolutions referred to the Committee on Invitations and Memorial Resolutions.

 When any standing committee or subcommittee schedules a public hearing on a bill or resolution, the principal sponsor of such bill or resolution shall be notified of the time and place of such hearing not less than five calendar days prior to the hearing date.

 **4.5** All meetings of all committees shall be open to the public at all times, subject always to the power and authority of the Chairman to maintain order and decorum with the right to go into Executive Session as provided for in the South Carolina Freedom of Information Act, Title 30, Chapter 4 of the 1976 Code of Laws of South Carolina, as amended. *Provided*, a legislative caucus as defined by Section 2‑17‑10 of the 1976 Code of Laws of South Carolina, as amended, and its meetings are not subject to the provisions of Title 30, Chapter 4 of the 1976 Code of Laws of South Carolina, as amended.

 No committee shall file a report unless the committee has met formally at an authorized time and place with a quorum present. All standing committees of the House shall prepare and make available for public inspection, in compliance with Section 30‑4‑90 of the 1976 Code of Laws of South Carolina, as amended, the minutes of full committee meetings. Such minutes need not be verbatim accounts of such meetings but shall include those matters required by the above mentioned Freedom of Information Act.

 **4.6** After twenty days from the date of reference, the Chairman of the Committee in possession of a measure shall, upon written request of a sponsor or, in the case of a Senate measure, a House member, set a time for consideration of the measure by the full committee or subcommittee which shall be no later than seven legislative working days thereafter. *Provided*, however, that a member may request consideration of a bill or resolution pursuant to this rule only one time per bill or resolution during a legislative session.

 **4.7** a.Each report of a committee shall contain the action of the committee on the bill or other measure being transmitted. Such report shall certify the action by the committee and shall be signed by an officer of the committee.

 b. When reporting a Senate bill as favorable, the committee may include in its report an amendment identical to the final version of any House bill that has been referred to that committee and passed by the House during the current two‑year session. If the amendment is identical to a previously passed House bill, the amendment must be considered germane to the bill.

 **4.8** Any bill, report, petition, or other paper except an amendment which may come before the House, may be committed or recommitted before a final decision thereon. *Provided*, further that the Speaker may, in his discretion, commit to a committee any bill, joint resolution, or concurrent resolution returned from the Senate with an amendment that has so materially changed the bill that the bill’s contents, as amended by the Senate, are no longer substantially germane to the bill, joint resolution, or concurrent resolution as it passed the House. Such bill, joint resolution, or concurrent resolution may be reported out of the committee with its recommendation and shall be placed on the Calendar under the heading of second reading or concurrent resolution. If not amended, it shall be enrolled as an act and ratified. If said bill, joint resolution, or concurrent resolution shall be amended, it shall be returned to the Senate at the conclusion of the process as a House amendment.

 **4.9** In all cases the House may resolve itself into a Committee of the Whole. The motion to resolve the House into a Committee of the Whole shall specify the subject(s) to be considered in the Committee of the Whole. In the event the House resolves itself into a Committee of the Whole, the Committee of the Whole shall limit discussion to the subject(s) specified in the motion. The Speaker shall leave the Chair after appointing a Chairman to preside, who shall, in case of disturbance or disorderly conduct, have the power to cause same to be cleared. No bill or resolution may be considered by the Committee of the Whole House, except by a two‑thirds vote, unless same has first been considered by the appropriate Standing Committee of the House.

 **4.10** The Committee of the Whole shall consist of the entire body of members in attendance at the particular meeting of the House. Such committee is a real committee in the parliamentary sense. During the time that a meeting of the Committee of the Whole is held, it is technically not ‘the assembly’.

 **4.11** The Rules of the House so far as they are applicable shall be observed in a Committee of the Whole, the Chairman being substituted for the Speaker.

 **4.12** No Committee of the Whole or other committee shall deface or interline a bill or other paper, referred to it, but shall report any amendments recommended on a separate paper, noting the page and line.

 **4.13** No person shall be permitted to address the House or the Joint Assembly except by written resolution, and such resolution shall be referred to the Committee on Invitations and Memorial Resolutions before being considered by the House. The Committee shall not extend an invitation to any individual or group to address the House or the Joint Assembly unless such person or group is of significant national or state prominence at the time the invitation is extended and will bring a message of major importance to the State or such individual or group will present an artistic performance during the established hours of meeting.

 Any invitations extended to the House as a whole to attend any functions shall be submitted to the Committee on Invitations and Memorial Resolutions at least 10 days in advance in order that it may determine what legislation or other pertinent matters may be pending before the House and its Committees before the invitation is accepted. The House shall accept no invitations to any functions other than a breakfast or luncheon prior to 6:00 p.m. Pages are not permitted to attend such functions. No invitations to functions for the House as a whole will be accepted during the week anticipated for the debate of the State Appropriations Bill.

 **4.14** No member of a committee shall be allowed under any circumstances to vote by proxy.

 **4.15** None of the House Rules shall be rescinded, suspended, or altered, except by written resolution which has been referred to the Rules Committee, or originates therein, and agreed to by two‑thirds of the members of the House present after the committee has made its report. *Provided*, that any rule may be amended by a simple majority of the House during the month of January of each year.

 **4.16** a. The House of Representatives Legislative Ethics Committee consists of ~~six (6)~~ ten (10) members. The ten members of the House of Representatives Legislative Ethics Committee shall be elected by the members of the House. Five members of the committee shall be members of the majority party represented in the House of Representatives and five members shall be members of the minority party represented in the House of Representatives or be nonaffiliated with any party or another party not in the majority. The Chairman of the Ethics Committee shall be one of the five members of the committee from the majority party represented in the House to be elected by the members of the committee. Other officers of the committee are not required to be affiliated with a particular party and shall be elected by members of the committee as well.

 The committee has the following powers and duties:

 (1)(a) to receive complaints or charges concerning conduct alleged to be unethical from any citizen of this State or member of the House against:

 (i) House members;

 (ii) former House members, provided the allegations are related to the former member’s service in the House;

 (iii) candidates for the House;

 (iv) former candidates for the House, provided the allegations are related to the former candidate’s bid for the House;

 (v) officers and employees of the House;

 (vi) staff and independent contractors of a House legislative caucus committee.

 Only sworn written complaints or charges may be considered;

 (b) to file a complaint upon concurrence of at least four members of the House Ethics Committee when alleged violations are identified;

 (c) for purposes of this Rule, unethical conduct may include, but is not limited to, a:

 (i) violation of Chapter 13, Title 8;

 (ii) violation of Chapter 17, Title 2; or

 (iii) breach of this Rule by a person designated in a.(1)(a) above or as designated by statute;

 (2) to investigate these complaints and charges and, if warranted, to report the results of these investigations to the House with recommendations for further appropriate action as authorized by law;

 (3) upon request of any member, officer, or employee of the House to render advisory opinions with regard to legislative ethics when, in their judgment, these opinions would serve the public interest, and to act as an advisory body to the House and to individual members of or candidates for the House on questions pertaining to the disclosure and filing requirements;

 (4) to make available annually to the House a compilation of the principles provided in advisory opinions rendered;

 (5) to administer or recommend appropriate sanctions or dismiss charges;

 (6) to ascertain whether a person has failed to comply fully and accurately with the disclosure requirements of Chapter 13, Title 8 and promptly notify the person to file the necessary notices and reports to satisfy the requirements; and

 (7) to recommend a rule or statutory change relating to ethics as the committee deems appropriate.

 b. All papers, documents, complaints, charges, requests for advisory opinions, and any other material required to be filed with or received by the committee are strictly confidential prior to a finding of probable cause, or a waiver of confidentiality by the respondent. No persons involved with a complaint before the committee, including complainant, respondent, counsel, counsel’s secretaries, committee members and staff, and investigators shall mention the existence of any proceeding nor disclose any information pertaining to it, unless otherwise permitted by the Rules. Disclosure of confidential information must be punished in a manner provided by the Ethics, Government Accountability, and Campaign Reform Act. If the House Ethics Committee finds that a person has violated the provisions of this subsection, it must report its findings to the Attorney General.

 c. Information that must be made public following a finding of probable cause or waiver of confidentiality by the respondent is: (1) the complaint;

 (2) the response by the respondent;

 (3) any exhibits introduced at a public hearing, subject to redaction of information of a personal nature when public disclosure would constitute unreasonable invasion of personal privacy; and

 (4) the final order issued by the committee.

 d. All investigations, inquiries, hearings and accompanying documents must remain strictly confidential until a finding of probable cause, unless the respondent waives the right to confidentiality.

 (1) A certified copy of the sworn statement of charges against the respondent must be given to him or her within ten days of the time the statement of charges is received by the Chairman of the Ethics Committee. The respondent has the right to file a response to the complaint within fifteen calendar days after receipt of the complaint and to face and cross examine his accusers and the witnesses against him at any hearing called by the Ethics Committee. All hearings following a finding of probable cause must be conducted in open session. The Ethics Committee must call a hearing if a majority of the membership of the Ethics Committee feels that the charges have merit or if the respondent formally requests a hearing.

 (2) No complaint may be accepted by the Ethics Committee concerning a member of or candidate for the House during the fifty‑day period before an election in which the member or candidate is participating. During this fifty‑day time period, a person may petition the court of common pleas alleging the violations complained of pursuant to the provisions of Section 8‑13‑530. Action on a complaint filed against a member or candidate which was received more than fifty days before the election but which cannot be disposed of or dismissed by the Ethics Committee at least thirty days before the election must be postponed until after the election.

 (3) If the Ethics Committee determines the complaint does not allege facts sufficient to constitute a violation, the complaint must be dismissed and the complainant and respondent notified. If the Ethics Committee finds that the complaining party wilfully filed a groundless complaint, the finding must be reported to the Attorney General. If the Ethics Committee determines the complaint alleges facts sufficient to constitute a violation, it shall promptly investigate the alleged violation and may compel by subpoena the attendance and testimony of witnesses and the production of pertinent books and papers. The subpoena must be signed by the Chairman of the House Ethics Committee.

 (4) No complaint shall be accepted which is filed later than four years after the violation is alleged to have occurred.

 e. All ethics committee investigations and records relating to the preliminary investigation are confidential unless otherwise permitted by the Rules.

 (1) If the Ethics Committee finds that probable cause exists to support an alleged violation after a preliminary investigation, as appropriate, it shall:

 (a) render an advisory opinion to the respondent and require the respondent’s compliance within a reasonable time; or

 (b) convene a formal hearing on the matter.

 (2) If the Ethics Committee renders an advisory opinion and the respondent fails to comply, the committee must convene a formal hearing on the matter within thirty days of the respondent’s failure to comply.

 (3) If a hearing is to be held, the respondent must be allowed to examine and make copies of all evidence in the Ethics Committee’s possession relating to the charges. The Committee must establish procedures which afford respondents appropriate due process protections, including the right to be represented by counsel, the right to call and examine witnesses, the right to introduce exhibits, and the right to cross examine opposing witnesses. All hearings must be conducted in open session.

 (4) After the hearing, the Ethics Committee shall determine its findings of fact. If the Committee, based on competent and substantial evidence, finds the respondent has violated Chapter 13, Title 8, or Chapter 17, Title 2, or violated this Rule, it shall:

 (a) administer a public reprimand;

 (b) require the respondent to pay a civil penalty not to exceed two thousand dollars for each nontechnical violation that is unrelated to the late filing of a required statement or report or failure to file a required statement or report;

 (c) require the forfeiture of gifts, receipts, or profits, or the value of them, obtained in violation of Chapter 13, Title 8 or Chapter 17, Title 2;

 (d) recommend expulsion of the member;

 (e) in the case of an alleged criminal violation, refer the matter to the Attorney General for investigation; or

 (f) require a combination of subitems (a) through (e), as necessary and appropriate.

 If the Ethics Committee finds the respondent has not violated a statutory provision or Rule or engaged in unethical behavior, it shall dismiss the charges.

 (5) The Ethics Committee shall report its findings in writing to the Speaker of the House. If the Committee finds a violation of a statutory provision or Rule or finds unethical behavior, the report must be accompanied by an order of punishment that is supported and signed by a majority of the Ethics Committee members.

 (6) The respondent has ten calendar days from the date of the notification of the Ethics Committee’s action to appeal the action to the full House.

 (7) No Ethics Committee member may participate in any matter in which he is involved as a respondent.

 (8) Upon receipt of a recommendation of expulsion or an appeal from an order of the Ethics Committee, the Speaker of the House shall call the House into open session at a time to be determined at his discretion to consider the action of the Ethics Committee. The House shall either sustain or overrule the Ethics Committee’s action or order other action consistent with these Rules as otherwise permitted by statute. The consideration and results of a House Ethics Committee report are a matter of public record.

 (9) No member may vote on the question of his expulsion from the House.

 (10) Failure to fully comply with a final ethics order is a separate violation that may be considered by the Ethics Committee.

 f. If the House Ethics Committee finds the respondent has failed to file or was late in filing a required statement of economic interest or campaign disclosure report, the House Ethics Committee must order the respondent to pay a fine according to the provisions in Section 8‑13‑1510.

 g. The House Ethics Committee may, in its discretion, determine that errors or omissions on statements of economic interests and campaign disclosure reports are inadvertent and unintentional and not an effort to violate a requirement of Chapter 13, Title 8 and may be handled as technical violations not subject to the provisions of Chapter 13, Title 8 pertaining to ethical violations. The House Ethics Committee may assess a penalty for technical violations not exceeding fifty dollars.

 h. The Speaker of the House, and the House Ethics Committee on behalf of the entire House, may receive:

 (1) certified copies of any indictment or information for a felony or offense against the election laws filed or returned against any member of the House;

 (2) certified copies of any plea of guilty or nolo contendere to the felony entered by any member of the House;

 (3) certified copies of any conviction of a member for a felony; and

 (4) certified copies of any opinion, order, or judgment of any court, state or federal, trial or appellate, relating to any of the aforementioned matters.

 **4.17** The Standing Committees may order to be printed for their use such papers as shall be referred to them.

 **4.18** The House shall not resolve itself into Executive Session except under those circumstances permitted by the laws of this State, and then only upon a vote of two‑thirds of the membership present and voting, a quorum being present. Upon resolving itself into Executive Session, the Halls of the House shall be cleared of all persons except the members of the House, the Clerk of the House and the Sergeant at Arms.

 No action shall be taken which violates the Statutory Law of this State and when such action is permissible it shall only be taken upon a two‑thirds vote of the membership present and voting, a quorum being present.

 **4.19** When a bill or resolution is reported out of a standing committee of the House of Representatives, a summary of the bill or resolution prepared by the staff of that committee, if such summary is available, may be made available to the members electronically. Each summary prepared by staff shall have the following language printed in bold capital letters at the top of the summary: ‘THE BELOW CONSTITUTED SUMMARY IS PREPARED BY THE STAFF OF THE SOUTH CAROLINA HOUSE OF REPRESENTATIVES AND IS NOT THE EXPRESSION OF THE LEGISLATION’S SPONSOR(S) OR THE HOUSE OF REPRESENTATIVES. IT IS STRICTLY FOR THE INTERNAL USE AND BENEFIT OF MEMBERS OF THE HOUSE OF REPRESENTATIVES AND IS NOT TO BE CONSTRUED BY A COURT OF LAW AS AN EXPRESSION OF LEGISLATIVE INTENT’.

**Rule 5**

**Bills, Resolutions, and Reports**

 **5.1** No notice shall be required of a member of his intention to introduce a bill or resolution. Any member may introduce bills or resolutions which shall be received by the House staff whether or not the House is in session. Bills and resolutions so received shall be periodically referred by the Speaker of the House to the appropriate committee or committees which may then consider them at such times as the committee meets. Any matter acted upon favorably by any committee may be reported out by the committee when the House reconvenes and need not thereafter be sent to any committee but shall then be ready, upon compliance with other Rules of the House, for second reading consideration; *provided*, however, that bills appropriating revenue shall be referred to the Ways and Means Committee. *Provided*, further, that bills and resolutions creating study committees shall first be referred to the appropriate standing committee having jurisdiction of the subject matter of the bill or resolution. The Clerk of the House shall establish procedures to notify the House membership on a monthly basis of bills and resolutions introduced during periods when the Journal is not printed.

 All bills received prior to the first day of the convening or reconvening of the General Assembly shall receive first reading on the first day of the session.

 In those years in which all seats of the House are up for election, no bill shall be received for prefiling between the dates of adjournment *sine die* and the date of completion of the Organizational Session of the House.

 When the House of Representatives is not in session and bills are being prefiled and assigned to committees, any member who wishes to have their name added as a sponsor of a bill may do so by notifying the Clerk of the House in writing. The Clerk shall then notify the Chairman of the committee to which the bill has been assigned and their name shall be added. If a member wishes to sponsor a bill individually then they shall so indicate on the face of the bill and no additional sponsors shall be allowed.

 **5.2** Every bill before presentation shall have its title endorsed; every report, its title at length; every petition, memorial, or other paper, its prayer or substance; and, in every instance, the name of the member presenting any paper shall be endorsed and the papers shall be presented by the member to the Speaker at the desk. A member may add his name to a bill or resolution or a co‑sponsor of a bill or resolution may remove his name at any time prior to the bill or resolution receiving passage on second reading. The member or co‑sponsor shall notify the Clerk of the House in writing of his desire to have his name added or removed from the bill or resolution. The Clerk of the House shall print the member’s or co‑sponsor’s written notification in the House Journal. The removal or addition of a name does not apply to a bill or resolution sponsored by a committee.

 And every bill or joint resolution which shall propose the amendment or repeal of any Section, Chapter, or Title of the General Statutes or of any Act of Assembly or joint resolution, shall, in its title express the subject matter of such section, chapter, title, act, or joint resolution so sought to be amended or repealed. If this is not complied with, the paper shall not be received by the Speaker and objection may be raised by any member to such improper introduction at any time prior to third reading that the bill or resolution is being considered by the House.

 Every bill or joint resolution proposing to amend any section or clearly identifiable subdivision or portion of a section of any chapter of the General Statutes or of any Act of Assembly or joint resolution shall give the full text of the Section or clearly identifiable subdivision or portion of a Section as it would read with such amendment inserted therein. And if this latter clause of this rule is not complied with, the bill or joint resolution shall be amended so as to conform to this rule before it be considered by the House. Any member may require such amendment at any time a bill or resolution not in conformance herewith is being considered by the House.

 **5.3** General Appropriations Bill and Supplemental Appropriations Bill

 A. Certificate: Every General Appropriations Bill and Supplemental Appropriations Bill for the ordinary expenses of State Government before presentation shall have attached thereto a certificate from the Budget Division of the State Budget and Control Board stating that the total of the appropriations therein provided for is not in excess of the estimated total revenue of the State for such purposes, including that revenue which may be provided for in the bill, or in any other bill previously passed by the House for the fiscal year to which the bill is applicable, and an Appropriations Bill without such certificate shall not be read the first time in the House, but shall be returned to the Committee on Ways and Means by the Speaker. After passage on second reading and before its consideration on third reading, every General Appropriations Bill, and every Supplemental Appropriations Bill shall have attached thereto a certificate from the Budget Division of the State Budget and Control Board that the total of the appropriations therein provided is not in excess of the estimated total revenue of the State for such purposes, including that revenue which may be provided in the bill, or in any other bill previously passed by the House for the fiscal year to which the bill is applicable, and if the Budget Division cannot give such certificate, the Speaker shall order the bill recommitted to the Ways and Means Committee.

 B. Germaneness and Amendments: The General Appropriations Bill and Supplemental Appropriations Bills may include both temporary and permanent provisions of law. The substantial effect of all temporary provisions of law and amendments thereto must be directly germane to the appropriation of funds, affecting revenue, or be rules, regulations, directives, or procedures relative to the appropriation of funds or affecting revenue for the fiscal year referred to in the bill. The substantial effect of all permanent provisions of law and amendments thereto must be directly related to and expressly germane to the purpose of an appropriation being made or revenue provided therein for the fiscal year referred to in the bill. An amendment which has the effect of appropriating funds in excess of five million dollars during the fiscal year stated within the bill shall include within the amendment the corresponding appropriation reduction(s) and/or revenue increase(s) within the same section that shall fully fund the amendment’s proposed appropriation(s) or have attached to it in writing an explanation of the specific appropriation reduction(s) and/or revenue increase(s) from the different section(s) that shall fully fund the amendment’s proposed appropriation(s). The provisions of this paragraph shall be narrowly and strictly construed with regard to all provisions of and amendments to the General Appropriations Bill and Supplemental Appropriations Bills.

 C. Report of Conference of Committee: The following requirement applies to the report of the Conference Committee on the Annual Appropriations Bill: Any provision offered for inclusion in the Annual Appropriations Bill which increases or decreases the most recent official projection of general fund revenues of the Board of Economic Advisors may not be included in the bill or recommendation unless the revenue impact is certified by the Board of Economic Advisors. Changes to the official general fund revenue estimate as a result of such provisions may not exceed amounts certified by the Board of Economic Advisors. This requirement is in addition to other provisions of law regarding fiscal impact statements.

 D. Format of Appropriations Bill: All State Appropriations Bills must be printed at the following stages in their passage so that:

 1. The House Ways and Means Committee version of the Appropriations Bill must include the amounts recommended by the Ways and Means Committee.

 2. The House version of the Appropriations Bill must include the amounts recommended by the Ways and Means Committee and the amounts passed by the House.

 3. The Report of Conference or Free Conference Committee must include the amounts passed by the House, the amounts passed by the Senate, and the amounts agreed upon by the Conference Committee.

 4. The Appropriations Act must include total funds approved for the next fiscal year and a listing of appropriations from the General Fund.

 5. *Provided*, further, that:

 a. the full salary of the principal officer of each department, agency, or institution shall be set forth as an item distinct and apart;

 b. minor budget classifications or other descriptive terminology may be used when necessary to better express the purpose of the appropriation;

 c.where the major portion of the operating funds to any department, institution, or principal operational division thereof is derived from Federal or other nonappropriated funds, the total appropriation for each major budget classification may be shown, and the relative contributions of State and nonappropriated funds therefor shall be shown as completely as possible; and

 d. the appropriations must be in conformity with the program budget format as adopted by the Ways and Means Committee.

 E. Any bill or resolution considered by the House of Representatives, upon second reading, that raises revenue must conform to the provisions of Article III, Section 15 of the South Carolina Constitution.

 F. Earmark Projects and Programs: For purposes of this section:

 1. ‘Appropriations bill’ means the annual general appropriations bill, a supplemental appropriations bill, the joint resolution appropriating revenues of the capital reserve fund, a bill appropriating contingency reserve fund revenues, bond bills, or any other bill appropriating state revenues while under consideration by the House Ways and Means Committee or Senate Finance Committee or any subcommittee of it and any free conference committee on an appropriations bill. For purposes of this definition, a bill includes a joint resolution.

 2. ‘Earmark project or program’ means:

 a. an appropriation for a specific program or project not originating with a written agency budget request or not included in an appropriations act from the prior fiscal year;

 b. an appropriations bill proviso directing the expenditure of funds appropriated to an agency for a purpose not originating with a written agency budget request or not included in an appropriations act from the prior fiscal year.

 3. Each request for an earmark project or program included in an appropriations bill must be memorialized in writing on a form designed by the chairman of the House Ways and Means Committee. The form must include the member’s name who requested the earmark project or program, an explanation of the earmark project or program requested, and such other information as the form may require. The form must be filed with the House Ways and Means Committee.

 4. Each request for an earmark project or program included in the House Ways and Means Committee version of an appropriations bill must be listed on a separate document prepared by the appropriate committee and placed on the members’ desks before beginning debate of the appropriations bill on second reading. The document must include the members’ name requesting the earmark project or program, a brief description of the earmark project or program request, and such other information as the form may require and must be posted on the General Assembly’s web site.

 5. An earmark project or program request made while an appropriations bill is in the Senate and is included in the report of a committee of conference must be listed on a separate document, similar to the form described in item 4., and placed on the members’ desks before beginning debate of the report of the committee of conference. The chairman of the House Ways and Means Committee is charged with providing this form to the House membership.

 6. An earmark project or program request made while an appropriations bill is in a committee of free conference must be listed on a separate document, similar to the form described in item 4., and placed on the members’ desks before beginning debate of the report of the committee of free conference. The chairman of the House Ways and Means Committee is charged with providing this form to the House membership.

 7. If the provisions of this subsection are not followed in reference to an individual earmark project or program, a two‑thirds vote of the membership present and voting is required to include the earmark project or program in the appropriations bill or the report of the committee of conference or free conference.

 G. The Annual General Appropriations Bill must be considered section‑by‑section on second reading, and when the pending question is the adoption of an individual section, the yeas and nays must be taken by roll call and the votes on it must be recorded by name in the Journal except when the House agrees to a section by unanimous consent.

 **5.4** No bill or amendment providing an appropriation to pay a private claim against this State or a department thereof shall be introduced or considered.

 **5.5** No bill or joint resolution shall be introduced as a delegation bill or resolution unless such bill or resolution relates only to local matters concerning the county which such delegation represents.

 **5.6** Except asprovided in subsection 5.1, the first reading of the bill shall be by title only. No amendments shall then be in order and the bill shall be referred to some committee, unless the House unanimously agrees, without debate, to dispense with reference.

 **5.7** Upon the second reading of a bill, after all amendments and motions have been disposed of, the question shall be the passage of the bill. Upon a decision in the affirmative, the order shall be made accordingly and the bill shall take its place on the Calendar for third reading.

 **5.8** At the third reading of a bill, the bill shall be read by its title only.

 If the bill originated in the House, the question then shall be the passage of the bill. On a bill which originated in the Senate, if no amendment has been made by the House, the question shall be the passage of the bill and in the case of an affirmative vote, the title ‘Bill’ shall be changed to an ‘Act’ and the act shall be enrolled for ratification.

 If the bill has been amended in the House, the question shall be the passage of the bill, as amended, and in the event of an affirmative vote, the bill, as amended, shall be returned to the Senate.

 **5.9** All bills and resolutions reported by a committee shall, as a matter of course, be printed, together with the report of a committee. A bill or joint resolution shall be reprinted following its second reading, if amended by the House, reflecting the substance of the bill in its amended form. Every committee report which amends the provisions of legislation referred to such committee shall give the full text of the section or clearly identifiable subdivision or portion of a section as it would read with such amendment inserted therein. If this rule is not complied with, the committee report shall be amended so as to conform to this rule before the bill or joint resolution is considered by the House. This shall be the responsibility of the committee chairman.

 **5.10** No local bill or joint resolution shall receive a second reading unless its number and title shall have been printed in the House Calendar at least one day prior to such reading. *Provided*, that no statewide bill or joint resolution shall receive a second reading unless its number and title shall have been printed in the House Calendar at least one statewide legislative day prior to such reading unless said bill or resolution has been set for Special Order consideration as provided for by Rule 6.3(14)(b). *Provided,* further, no General Appropriations Bill or Supplemental Appropriations Bill for the ordinary expenses of the State Government shall receive a second reading unless printed copies of such Appropriations Bill shall have been laid on the desks of members at least three legislative days prior to second reading.

 **5.11** Any bill, resolution, report, or other paper which has been under consideration, may, at the Speaker’s discretion, be ordered to be printed for distribution to the members.

 **5.12** No statewide bill or joint resolution, except an appropriations bill, general, supplemental, deficiency, or a joint resolution approving or disapproving regulations of a state agency shall be considered unless (1) such legislation is introduced in the House prior to April fifteenth of the second year of a two‑year legislative session or (2) such legislation shall have been introduced in the Senate and received by May first in the House, unless in either event it was introduced in the previous year and was carried over to the year in which it is to be considered; *provided*, however, that nothing herein shall prevent a statewide bill or joint resolution from being received, given first reading, and referred to the appropriate committee. No such bill or joint resolution shall be placed on the Calendar for further consideration unless two‑thirds of those members present and voting agree to waive the rule. Once voted on and rejected, no further vote shall be allowed to waive this rule.

 The motion to waive this rule shall not be debatable, except that the mover shall have the right to make a three‑minute explanation of his motion.

 The provisions of this rule shall apply only to regular sessions of the General Assembly as opposed to special sessions of the General Assembly.

 The Speaker shall enforce the deadlines provided by this rule and shall not allow consideration without putting the question of waiver before the House.

 **5.13** Each bill effecting the expenditures of money by the State shall, prior to receiving second reading, have attached to it in writing such comment of the appropriate state official or office as may appear appropriate regarding the bill’s effect on the finances of the State. Each committee amendment that substantially changes a bill effecting expenditures of money by the State, prior to the bill receiving second reading, shall have attached to the committee amendment such comment of the appropriate state official or office as may appear appropriate regarding the committee amendment’s effect on the finances of the State. *Provided*, however, this rule shall not be invoked where the amount is shown in the bill.

 Committee chairmen shall satisfy these requirements of a fiscal impact statement prior to the bill receiving second reading.

 **5.14** No report of a Committee on Conference or Free Conference, except on a *Sine Die* Resolution, the General Appropriations Bill, the Supplemental Appropriations Bill, the Capital Reserve Fund, or local matters, shall be considered until such report has been printed in the House Journal and explained by the conferees on the floor of the House.

 **5.15** The printing of any document required to be printed under the Rules of the House may specifically be dispensed with by two‑thirds vote of the membership present and voting of the House, a quorum being present; *provided*, such vote shall be by division vote; *provided*, however, the printing of any bill which has not been referred to committee shall not be waived.

 **5.16** Should any member seek immediate consideration of any House or Concurrent Resolution, the resolution shall receive immediate consideration unless five members object. If immediate consideration of such resolution is not sought, or in the event five members do object where immediate consideration is sought, the resolution shall be referred to an appropriate committee and shall not be considered by the House until after the committee has made its report and at that time shall take its place on the Calendar. *Provided,* however, a House or Concurrent Resolution concerning *Sine Die* Adjournment under Article III, Section 21 of the South Carolina Constitution and Section 2‑1‑180 of the Code of Laws of South Carolina, 1976, shall receive immediate consideration, which shall include the motion to commit or recommit.

 A House or Concurrent Resolution sponsored by a committee shall receive immediate consideration if so requested by a member unless five members object, in which case it shall take its place on the Calendar without the necessity of being referred to a committee. Such resolution shall be printed in the same manner as is prescribed in Rule 5.9 for the printing of bills.

 *Provided*, however, the Clerk shall prepare forms for House Resolutions expressing the sympathy or congratulations of the members of the House. Any member wishing to sponsor such a resolution shall forward in writing on a form prepared by the Clerk information sufficient to prepare the resolution. The Speaker shall sign the resolution on behalf of the membership. Such resolutions shall not be read to the House or printed in the Journal except upon the request of ten members. The Speaker may refer any such resolution to the Committee on Invitations and Memorial Resolutions and, in such event, the resolutions must be approved by the committee or if the committee recommends, by the House.

 **5.17** (A) Upon the consideration of any statewide uncontested bill or joint resolution, an objection or request for debate by five (5) members at any time prevents the consideration of the statewide bill or resolution and it then must be placed upon the statewide contested Calendar and remain on it until one (1) or more objections or requests for debate are formally withdrawn from the floor, and if there are not further objections or requests for debate entered at that time so that the total number of outstanding cumulative objections or requests for debate is less than five (5) or more, the statewide bill or resolution shall then receive immediate consideration if there is any time remaining in the applicable period for that statewide day for that bill or resolution.

 (B) Upon the consideration of any local uncontested bill or joint resolution, an objection or request for debate by three (3) members at any time prevents the consideration of the local bill or resolution and it then must be placed upon the local contested Calendar and remain on it until one (1) or more objections or requests for debate are formally withdrawn from the floor, and if there are not further objections or requests for debate entered at that time so that the total number of outstanding objections or requests for debate is less than three (3), the local bill or resolution shall then receive immediate consideration if there is any time remaining in the applicable period for that day for that local bill or resolution.

 **5.18** If any bill or resolution shall be recommitted to a committee or referred to another committee retaining its place on the Calendar, the same may be listed on the Calendar by number only until it is returned to the floor for debate or such action as may be appropriate.

 Any bill, resolution, or report upon which debate has been adjourned may be listed on the Calendar by number only until the date for consideration has been reached.

 **5.19** a. No member shall speak more than twice on the main question of a bill or resolution being considered for any reading and not longer than sixtyminutes for the first speech nor longer than thirty minutes for the second speech, unless allowed to do so by the affirmative vote of a majority of the members present and voting. No member shall speak more than twice upon an amendment or a motion to reconsider that is debatable and then not longer than ten minutes each time. However, if the previous question has been invoked, no member may speak more than twice on a motion to reconsider that is debatable and then not longer than the amount of time remaining for debate of the underlying motion; *provided*, that proposed amendments announced and introduced by the Reading Clerk shall be considered prior to a member speaking on the bill. No member shall speak more than twice on Senate amendments to a House bill and not longer than sixty minutes for the first speech nor longer than thirty minutes for the second speech, unless allowed to do so by the affirmative vote of a majority of the members present and voting. The House may, however, by consent of a majority of the members present and voting suspend the operation of this rule during any debate on any particular question before the House.

 b. Subsection (a) of this rule shall be applicable on a section‑by‑section basis on debate upon the General Appropriations Bill, the Supplemental Appropriations Bill, or the bond bills but shall not apply to bills on reapportionment.

 c. The question of granting Free Conference Powers shall require an affirmative vote of two‑thirds of the membership of the House and is not debatable. No member shall speak more than twice on the question of adoption of a Conference or Free Conference Report and not longer than sixty minutes for the first speech nor longer than thirty minutes for the second speech, unless allowed to do so by the affirmative vote of a majority of the members present and voting. When the pending question is adoption of a Conference or Free Conference Report, the yeas and nays must be taken by roll call and the votes on it must be recorded by name in the Journal. Furthermore, the question of adoption of a Conference or Free Conference Report is subject to the provisions of Rule 8.6.

 **5.20** Notwithstanding the provisions of any other House Rule, no House or Concurrent Resolution memorializing the Congress of the United States, the President of the United States, or any state or federal department, agency, or official shall receive immediate consideration but shall be referred to the Committee on Invitations and Memorial Resolutions and shall remain in such committee unless three members of the committee vote to report the resolution out of committee. No such resolution may be recalled from committee.

**Rule 6**

**Daily Order of Business and Calendar**

 **6.1** a.The House shall meet each legislative day at 12:00 Noon every Tuesday, 10:00 a.m. every Wednesday, and 10:00 a.m. every Thursday and Friday unless otherwise ordered by the House. *Provided*, that by motion made at any time the House by majority vote may fix the day and hour at which time the House shall next meet (not to exceed constitutional limitations) and this shall be decided without debate.

 *Provided*, further, that during the first three weeks of the first year of a legislative session, unless a majority of the House members present object, on Wednesdays the House shall meet at 2:00 p.m. to provide time in the morning hours for committees to meet and hearings to be held.

 *Provided*, further, that unless ordered otherwise, the House shall consider only local uncontested matters on Friday of each week.

 b. The Speaker, in his sole discretion, is authorized to call the House of Representatives into statewide session for the exclusive purpose of the introduction and referral of bills and receipt and reading of communications and committee reports and to adjourn immediately thereafter with no roll to be taken. Any such action by the Speaker shall provide the specific date of the statewide session and shall provide that the House of Representatives must convene at 10:00 a.m. and adjourn not later than 10:30 a.m. on these days. Provided, that a statewide session held pursuant to this paragraph shall not be considered in calculating the provisions of Rules 5.10 and 9.1.

 **6.2** All questions as to priority of business or as to the time when any matters shall be considered or ordered for consideration and as to a departure from the regular order of business shall be decided without debate.

 **6.3** The following order of business shall be enforced every day by the Speaker, except that Special Orders as defined in subsection 14a of this rule shall be considered at the time and place set.

 1. a. prayer;

 b. Pledge of Allegiance to the flag of the United States of America;

 2. corrections to the Journal;

 3. receipt of communications including messages from the Senate;

 4. reports of committees including Conference and Free Conference;

 5. first reading of House resolutions, concurrent resolutions, committee reports on resolutions, joint resolutions, and bills upon the desk;

 6. call of the roll of the House;

 7. a. consideration of local uncontested bills and joint resolutions on third reading;

 b. consideration of local uncontested bills and joint resolutions on second reading;

 8. a. consideration of statewide uncontested bills and joint resolutions on third reading;

 b. consideration of statewide uncontested bills and joint resolutions on second reading;

 9. withdrawal of objections and requests for debate;

 10. consideration of pending motions to reconsider;

 11. a. consideration of unanimous consent requests;

 b. consideration of vetoes;

 c. consideration of Senate amendments;

 d. consideration of local contested bills and joint resolutions on third reading;

 12. consideration of statewide contested bills and joint resolutions on third reading in the order in which they appear on the Calendar;

 13. a. motion period;

 b. consideration of local contested bills and joint resolutions on second reading;

 14. consideration of statewide contested bills and joint resolutions on second reading in the order in which they appear on the Calendar;

 a. Notwithstanding the order of business set forth in Rule 6.3 a matter may be set for Special Order for consideration on a particular day at a particular hour or at a particular place on the Calendar.

 b. Special orders may be set for appropriations bills and local bills by majority vote of the House. Special orders on all other bills on the Calendar shall be set only by written resolution, which has been referred to the Rules Committee or originates therein, and agreed to by two‑thirds of the members of that committee and agreed to by majority of the members of the House present after the committee has made its report; *provided*, however, that notwithstanding the provisions of Rule 9 governing the amendability of bills and resolutions, no amendments may be offered to any Special Order resolution, which amendments do not pertain to the bill which is the subject of the Special Order resolution, except as to the time and date called for in such resolution.

 *Provided,* that for the purpose of explaining any Special Order resolution the time limit for opponents shall not exceed five minutes and the time limit for proponents shall not exceed five minutes.

 c. A Special Order set for a certain day and hour, not being considered by the House at the hour named, shall be transferred by the Clerk of the House to the Special Orders of the following day until disposed of, in the chronological order of original appointment.

 Any member may insist upon a Special Order of the Day, or other Special Orders, until it be discharged.

 d. The motion period provided for the daily order of business under Rule 6.3 shall be limited to ten minutes only.

 *Provided*, however, that time consumed by roll call votes shall not be construed as part of time allotted to said motions period.

 e. Consideration of uncontested local bills and joint resolutions on third and second readings as provided in subsection 7a and b of this rule shall be limited to a total of ten minutes only. Consideration of contested local bills and joint resolutions on second and third readings as provided in subsections 11b and 13b of this rule is limited to a total of ten minutes for second reading bills and joint resolutions and ten minutes for third reading bills and joint resolutions.

 f. Consideration of uncontested statewide bills and joint resolutions on third and second readings as provided in subsection 8a and b of this rule shall be limited to a total of thirty minutes only.

 g. No debate shall be allowed in the uncontested period, *provided,* however, the Speaker may recognize a proponent and opponent of any uncontested bill or joint resolution for a brief explanation of their position.

 h. Consideration of unanimous consent requests as provided for in subsection 11 of this rule shall be limited to five minutes only. No unanimous consent requests except those unanimous consent requests dealing with the pending matter may be considered at any time other than during the time provided for in subsection 11 of this rule.

 **6.4** A debate interrupted by a simple adjournment shall afterwards be resumed at the point of interruption as if debate had been formally adjourned. A matter interrupted by a call for the Orders of the Day shall, after the Orders have been disposed of, be resumed at the point of interruption before any other question.

 **6.5** Messages may be received at any time while the door is open, except while a question is being put, or a ballot, or a *viva voce* vote is taken. A message shall be presented to the House by the Speaker when received, or afterwards, according to its nature, and the business in which the House is engaged, or its consideration may, on motion, be ordered by the House.

 **6.6** In all particulars not determined by these rules, or by the laws of the Constitution of this State, or of the United States, the practice of this House shall conform to its previous usage, or be guided by parliamentary law as it may be collected from the best authorities, *Mason*’*s Manual of Legislative Procedure* being the preferred parliamentary authority.

**Rule 7**

**Voting**

 **7.1** If, upon a question by acclamation, the Speaker doubts, or a division be called for, the House shall proceed with a division vote by voting on the electronic roll call board. If the electronic roll call board malfunctions, the Speaker shall proceed to call the division vote by voice vote. When division votes are made by use of the electronic roll call equipment, no individual votes shall be recorded. The Speaker shall state: ‘The pending question is ........ (designating the matter to be voted upon)’. The Speaker shall then unlock the voting machine and announce that voting will proceed. He shall then sound the bell. Thirty seconds after the announcement of the commencement of the vote on the board, the Speaker shall then announce that voting is closed and shall lock the machine and instruct the Clerk to tabulate the vote on the electronic roll call board. The Speaker shall then announce the result of the vote.

 **7.2** The House of Representatives shall take a roll call vote on second and on third reading when an amendment has been made on third reading for the following matters, whereupon the yeas and nays shall be ordered and shall be entered by name in the House Journal, the electronic roll call system shall be used, and the procedure provided for in Rule 7.3 shall be followed:

 (1) adoption of a Joint Resolution proposing an amendment to the Constitution of South Carolina;

 (2) adoption of legislation ratifying a proposed amendment to the Constitution of South Carolina;

 (3) adoption of a Bill or Joint Resolution establishing a fee or tax, raising an existing fee or tax, or reducing an existing fee or tax;

 (4) adoption of the Annual General Appropriations Bill and any individual section of it pursuant to Rule 5.3G;

 (5) adoption of a state or congressional reapportionment plan;

 (6) adoption of a Bill or Joint Resolution directly increasing or decreasing the salary, benefits, or retirement benefits of members of the General Assembly, elected officials of the Executive Branch, or members of the Judicial Branch;

 (7) adoption of a Bill or Joint Resolution amending the Ethics and Accountability Act or the Campaign Finance Act; and

 (8) adoption of a Conference or Free Conference Report pursuant to Rule 5.19c.

 Provided, the House of Representatives shall take a roll call vote and shall enter the yeas and nays in the House Journal for the following questions:

 (1) a question for which the Constitution of South Carolina requires the yeas and nays to be recorded;

 (2) an election by the General Assembly or the House of Representatives except where the election is declared by unanimous consent to be by declaration;

 (3) adoption of an amendment to the Annual General Appropriations Bill where the amendment directly effects the raising or spending of revenue in the amount of ten thousand dollars or more;

 (4) a question of overriding or sustaining an Act returned by the Governor with objections;

 (5) a question for which ten members of the House request a roll call vote; and

 (6) a question of concurrence, nonconcurrence, or adoption of amendments to bills or joint resolutions returned to the House with amendments by the Senate.

 **7.3** a. When the House is ready to vote upon any question requiring the yeas and nays and the vote is to be taken by the electronic roll call system, the Speaker shall state: ‘The pending question is ...... (designating the matter to be voted upon)’. The Speaker shall then unlock the voting machine and announce: ‘Roll call vote. Voting on the board’. He shall then sound the bell. Once the voting has begun, it shall not be interrupted, except for the purpose of questioning the validity of a member’s vote before the result is announced.

 b. Two minutes after the bell has been sounded, the Speaker shall ask the question: ‘Have all members present voted?’ After a pause, the Speaker shall then lock the machine and instruct the Clerk to tabulate the vote on the electronic roll call board. The Speaker shall then announce the result of the vote.

 c. After the voting machine is locked, no member may change his vote and the votes of tardy members shall not be counted.

 d. Subject to the provisions of Rule 2.10, the vote as electronically recorded on the roll of members shall not in any manner be altered or changed by any person.

 e. No member shall vote for another member, nor shall any person not a member vote for a member. Any member who shall vote or attempt to vote for another member or a person not a member who shall vote or attempt to vote for a member may be punished in such manner as the House determines.

 f. Any member or other person who wilfully tampers with or attempts to disarrange, deface, impair, or destroy in any manner whatsoever the electronic voting equipment or who destroys or changes the record of votes thereon shall be punished in such manner as the House determines.

 *Provided*, however, the minimum penalty for violation of Rule 7.3 shall be a public reprimand.

 g. The Speaker *Pro Tempore* or a member who has been appointed by the Speaker to preside may designate another member to cast his vote on any question while he is presiding in accordance with his instructions from the Chair.

 h. A member recorded as voting while absent from the Chamber shall present to the presiding officer an affidavit attesting to this fact. Any member may also report to the presiding officer his knowledge that another member was recorded as voting while absent from the Chamber. If the affidavit of the member whose vote is in question is presented within forty‑eight hours of the vote, the presiding officer shall adjust the vote totals to reflect the affidavit and order action on the question in accordance with the adjusted vote total. If the member filing the affidavit or any other member has knowledge of the identity of the person who voted for him while absent, he shall present this information to the presiding officer who shall refer it to the Ethics Committee for consideration of any recommendation of punishment in accordance with this rule.

 i. Each member shall be issued one electronic card by the Sergeant at Arms to activate the voting console on his desk to operate the electronic voting system. That card may not be duplicated by the member nor may a duplicate be issued to a member. The card must not be left in the voting console at any time while the member is not within the outer doors of the Chamber. If a member loses his card, a replacement will be issued by the Sergeant at Arms at the member’s expense. If a member is temporarily without his card while the House is in session, the Sergeant at Arms will provide a temporary card to that member at the member’s request for that day only and that card may not be removed from the House Chamber.

 **7.4** If the electronic roll call machine is declared by the Speaker of the House to be inoperative, the ‘Yeas’ and ‘Nays’ shall be taken by the Reading Clerk calling each member’s name in alphabetical order and each member responding by answering simply: ‘Yea’ or ‘Nay’. Each member who may be in the House when called may give his vote.

 *Provided*, further, that when the electronic roll call system is being used to record votes, the doors shall not be closed and members shall be permitted to vote as *provided* in Rule 7.3.

 **7.5** No member shall, under any circumstances, be permitted to vote after a decision shall have been announced by the Chair. After the decision of the question, a member absent may be permitted to record the vote he would have given if present, but such vote shall not affect the previous question.

 **7.6** No member shall be permitted to explain his vote during a roll call, but may reduce his explanation to writing, in not more than 200 words, and upon filing said explanation with the Clerk, it shall be entered in the Journal.

 **7.7** When the pending question is the passage of any bill or resolution on the contested Calendar on second reading, the yeas and nays shall be taken by roll call and the votes thereon shall be recorded in the Journal.

 **7.8** A member of the House of Representatives may give his proxy to vote on matters before the full body to another member of the House of Representatives if that member is deployed by military order for federal military duty or state national guard duty to a combat zone for a period of more than twenty‑one days during a legislative session. However, the member holding the proxy may not cast a vote for the deployed member unless the deployed member has specifically provided the voting member with written voting instructions, including, but not limited to, instruction transmitted by facsimile or electronic mail, with regard to the deployed member’s position on the issue. The proxy on a particular question may be used upon unanimous consent of the members of the House present and voting provided the proxy vote does not change the outcome of the question.

**Rule 8**

**Motions and Their Precedence**

 **8.1** No motion shall be debated until it shall have been stated by the Speaker. Any motion, if requested by the Speaker, must be reduced to writing and delivered at the desk and read, before it shall be debated.

 **8.2** The mover may withdraw any question or proposition before an amendment or decision, except after a demand for the yeas and nays and except after the previous question has been ordered.

 **8.3** No dilatory motion or amendment shall be entertained by the Speaker, prior precedents to the contrary notwithstanding.

 **8.4** A question before the House shall be suspended by:

 1. a message;

 2. a report or resolution of the Committees on Rules, Conference, Free Conference, or Invitations;

 3. a question of order;

 4. a question of privilege;

 5. a question of taking recess;

 6. any other incidental questions, such as of reading papers, dividing a question, withdrawing a motion, excusing a member from voting, or the like. *Provided*, further, the five first named may suspend even a speech; *provided*, that the fifth, if once negatived, shall not be received during the same speech without the consent of the member speaking.

 **8.5** When a question is under debate only those motions herein below shall be received and notwithstanding the provisions of any other rule, none of such motions except the motion to adjourn or recede, a motion to continue, or a motion for the previous question shall be considered until the conclusion of such debate. Such motions shall require a simple majority vote unless otherwise specified herein:

 1. to adjourn or recede;

 2. to continue;

 3. to lay on the table;

 4. for the previous question (fifty percent of those present and voting, a quorum being present, plus five when a member has the floor at the time the motion is made);

 5. to adjourn the debate to a certain day;

 6. to commit or recommit.

 These motions shall have precedence in the order in which they are hereinabove arranged.

 *Provided*, a motion to reconsider shall be received and noted while a speech is being made but notwithstanding the provisions of Rule 8.14, shall be considered immediately after disposal of the pending matter or pursuant to Rule 6.3, subparagraph 10, whichever shall come first.

 **8.6** The previous question upon any matter may be invoked as follows:

 Upon an affirmative vote on a motion for the previous question (fifty percent of those present and voting, a quorum being present, plus five, being required to interrupt debate and a simple majority vote at all other times), the amendments then upon the desk shall be considered, but no further amendments shall be allowed to be offered unless the amendment has at least two‑thirds of the membership of the House as its sponsor. The proponents of an amendment shall be allowed an opportunity to make a short explanation of his amendment for a period not to exceed three minutes, then opponents to the amendment shall be permitted not more than three minutes to oppose the proposed amendment. Then two hours of debate shall be allowed on the bill, the time being equally divided between opponents and proponents with no person to speak more than ten minutes. *Provided*, that after the previous question has been invoked, the primary sponsor of an amendment may withdraw it with unanimous consent without making a motion to table it.

 *Provided,* the previous question may be invoked on a motion to reconsider only when the matter to be reconsidered is debatable.

 *Provided*, a motion to adjourn debate shall be in order even though the previous question has been invoked.

 *Provided*, further, any member who has been recognized by the Speaker and is speaking from the podium, is considered to be debating the issue and a call for the previous question, whether by the member or any other member, requires the necessary fifty percent of those present and voting plus five.

 **8.7** A motion to recess may state the time for reconvening and in the absence of such time stated, reconvening shall be at the call of the Chair. The Speaker may at anytime order the House to stand at ease to be reconvened at the call of the Chair.

 **8.8** (Reserved)

 **8.9** When a motion is made during a motion period, the Speaker shall entertain but one motion at a time and there shall be no substitute motions considered. The same motion may be entertained consecutively during the motion period.

 **8.10** Any member may without debate, call for the division of a question and the House may divide the question if the Speaker determines the question so distinct that, one being taken away, the rest may stand entirely on its own. *Provided*, however, that a bill may not be divided into separate parts.

 **8.11** a. The following motions shall be decided by simple majority unless otherwise specified and without debate after any short remarks the Speaker permits:

 to adjourn;

 to recede;

 to continue;

 to lay on the table;

 for the previous question (unless it is made when a member

 has the floor and then it requires a majority plus five);

 to adjourn debate;

 to commit or recommit;

 to resolve the House into a Committee of the Whole;

 to proceed to the orders of the day;

 to recur to the morning hour;

 to fix the hour to which the House shall next meet;

 to grant free conference powers;

 to divide the question.

 b. The following motions shall not be permitted at the same stage of the bill or proposition until one hour of time has elapsed since the same question was negatived:

 for the previous question;

 to lay on the table;

 to adjourn debate;

 to continue;

 to commit or recommit;

 to recur to the morning hour.

 **8.12** Motions to adjourn, to recede, and to recede subject to the call of the Chair, shall always be in order except while the House is actually engaged in deciding a question by yeas and nays or in voting *viva voce* or in balloting. However, if a motion to adjourn or to take a recess has been negatived, no new motion to adjourn or take a recess shall be in order until fifteen minutes shall have elapsed from the decision of the former motion, even though such motion to recede might be to recede to a different time.

 **8.13** (Reserved)

 **8.14** When a question shall have been once decided in the affirmative or negative, any member who voted with the prevailing side may on the same day or the next day of the sitting of the House move for a reconsideration thereof and the House, if in session for statewide matters, shall immediately have the question of reconsideration before it. If the House is not in session for statewide matters or have before it a matter under Special Order, it shall have the question of reconsideration before it as provided in Rule 6.3. *Provided*, that, if the motion to reconsider concerns an amendment to the matter under Special Order, the House shall immediately have the question of reconsideration before it. If the House shall refuse to reconsider, or, upon reconsideration, shall affirm its first decision, no further motion shall be in order except by unanimous consent; *provided*, that once a motion to reconsider is made it may not be withdrawn except in the same day in which it was made.

 *Provided*, that a motion to reconsider shall not be allowed if the bill, resolution, message, report, amendment, motion, or the paper upon which the vote was taken shall have gone out of the possession of the House.

 A motion to reconsider may be laid on the table. If such motion be laid on the table, it shall be deemed a final disposition of the motion.

 **8.15** A member may move to continue a matter when called on the Calendar to the next session, but not to a specific date in the next session; and if the House agrees thereto, the matter shall be thereupon continued to the next session, and the Clerk of the House shall make up a Calendar of all the matters so continued, placing the same thereupon, in the order in which they have been continued. At the ensuing session the continued matters shall be taken up and considered in the same stage in which they were when so continued and shall have priority according to the last order for consideration made upon them.

 If a motion to continue, having received an affirmative vote, shall be reconsidered and thereupon such motion to continue shall receive a negative vote, the matter shall be taken up in its original place on the Calendar.

**Rule 9**

**Amendments**

 **9.1** A bill which originated in the House, or which, having originated in the Senate and having been amended by the House, shall be returned from the Senate with amendments, such bill as amended shall be printed, placed on the House Calendar, and shall not be considered until its number and title shall have been printed in the House Calendar for at least one statewide day prior to such reading. *Provided*, however, that this requirement shall not apply to local bills; nor shall this requirement apply to bills returned from the Senate with amendments during any extension of the session under Section 2‑1‑180 of the Code of Laws of South Carolina, 1976, or to bills returned from the Senate with amendments during an extra session pursuant to Article IV, Section 19 of the South Carolina Constitution.

 The consideration of amendments shall have precedence over a motion to either concur or nonconcur in the Senate amendments. Once the matter is amended and all pending amendments are considered, then said bill is returned to the Senate for consideration.

 If no amendments have been adopted by the House then the question shall be: ‘Will the House agree to the Senate amendment?’ A decision in the negative shall be a rejection. Upon a decision in the affirmative, the title of the bill shall be changed to an act and ordered to be enrolled.

 **9.2** At the third reading of a bill, no amendment shall be permitted without unanimous consent, except that the Chairman of the Committee on Ways and Means may (if he shall have given notice at the second reading of his intention to offer amendments at the third) be permitted to offer amendments to any appropriations bill, as may be pertinent to the bill. The chairman of any committee may (if he has given notice at the second reading of his intention to offer amendments at the third) be permitted to offer technical amendments to any bill which has been reported from his committee; and

 *Provided*, that the House may, in its discretion, commit or recommit any bill at its third reading and after the report of the committee any amendment which it shall recommend may be adopted.

 **9.3** No motion or proposition on a subject different from that under consideration shall be admitted under color of amendment unless it refers to the intent of the motion or proposition under consideration. *Provided*, that nothing in this rule shall prevent a committee from amending and favorably reporting a Senate bill with an amendment identical to the final version of a House bill that was referred to that committee and passed by the House during the current two‑year session. *Provided*, further, that nothing shall prevent the adoption of an amendment which rewrites the bill in its entirety if the bill as rewritten remains germane to the original title of the bill. *Provided*, further, that in determining whether or not any amendment be germane, the Speaker of the House of Representatives shall be guided by precedents of the House of Representatives to the extent available.

 **9.4** A proposed amendment shall be in order regardless of the number of changes proposed therein to the matter under debate, *provided* such amendment is otherwise in order. Proposed amendments must be typewritten and in the proper format for the computer system except as allowed by the Speaker at his discretion.

 **9.5** Proposed amendments to any matter before the House shall be initially considered in the order in which received.

 **9.6** Proposed amendments to local bills may not impact, affect, or reference any portion of a county other than the county originally referenced in the local bill.

**Rule 10**

**Miscellaneous**

 **10.1** Only the following persons shall be admitted within the House Chamber during a session of the House unless otherwise authorized by House Resolution.

 The present and former members and officers and present employees of the House of Representatives; the members of the Press as designated by the Speaker of the House of Representatives; the Governor; the Lieutenant Governor; each statewide constitutional officer; the present members, officers, and employees of the Senate; the present employees of the Legislative Council; dignitaries and the family of members designated by the Speaker, employees of the respective legislative delegations; the employees of legislative caucuses, and such persons as may be invited by resolution of the House; *provided*, however, that employees of legislative caucuses, legislative delegations, the Senate, state agencies, and other branches of state government that are authorized admittance must remain behind the rail in the back of the Chamber at all times when the House is in session; *provided*, no seat in the House shall be occupied by anyone except the members thereof. No lobbyist, including former members registered as lobbyists, shall be admitted within the Hall without special leave of the House. No former member seeking personal favors nor any former member who has filed as a candidate or is a candidate for a position which is elected by the General Assembly shall be admitted within the outer doors of the Chamber without special leave of the House. *Provided*, that no member of the Press may conduct interviews within the House Chamber while the House is in session.

 *Provided*, that notwithstanding other provisions of this rule, access within the outer doors of the Chamber is denied to any former House member who has been convicted of a crime, the conviction of which would impose a maximum penalty of imprisonment of one year or more. This paragraph does not apply to a former House member who is re‑elected to either House of the General Assembly after the conviction of the crime referred to in this paragraph.

 **10.2** Whenever the pronoun ‘he’ appears in any rule, it shall be deemed to designate either masculine or feminine. The words ‘person’ and ‘party’ and any other word importing the singular number used in any bill or resolution shall be held to include the plural and to include firms, companies, associations, and corporations and all words in the plural shall apply also to the singular in all cases in which the spirit and intent of the bill or resolution may require it. All words in a bill or resolution importing the masculine gender shall apply to females also and words in the feminine gender shall apply to males. And all words importing the present tense shall apply to the future also.

 **10.3** Definitions of measures:

 1. ‘Resolutions’ This term includes:

 a. ‘House Resolution’ which affects only the action of the House and the members thereof. It requires only one reading for adoption, and shall not be submitted to the Senate.

 b. ‘Concurrent Resolution’ which affects only the action of the General Assembly and the members thereof. It requires only one reading in each House for adoption.

 c. ‘Joint Resolution’ which shall have the same force of law as an act, but is a temporary measure, dying when its subject matter is completed. It requires the same treatment as a bill does in its passage through both Houses, but its title after passage shall not be changed to that of an act; and when used to propose an amendment to the Constitution it does not require the approval of the Governor.

 2. ‘Bill’ A bill is the term applied to a measure introduced in either House designed to become a permanent law (or an ‘act’).

 It must be read and adopted three times on three separate days in each House, following which its title is changed to that of an act.

 3. ‘Act’ An act is the term applied to a bill that has passed both Houses, been ratified by the presiding officer of each House and signed by the Governor or passed over his veto. It is a permanent measure, having the force of law until repealed.

 4. ‘Veto’ The term used for disapproval of a bill or joint resolution by the Governor. It may be overridden by a two‑thirds vote of the members present and voting of each House.

 **10.4** The House shall not accept any invitations to attend functions (social or otherwise) which are to be held at a club or organization which does not admit as members persons of all races, religions, colors, sexes, or national origins. All invitations received shall be referred to the Committee on Invitations and Memorial Resolutions and the five House members on the Committee on Invitations and Memorial Resolutions shall have the duty of recommending to the House which invitations should be accepted.

 **10.5** Each member of the House shall be entitled to appoint one individual as a House page to perform such duties as determined by the Speaker. The provisions of this rule shall be contingent upon the General Assembly providing for at least one hundred twenty–four House pages in the annual General Appropriations Act for the fiscal year during which such session shall take place. Any additional House pages authorized shall be appointed by the Speaker in his sole discretion. Pages and guests of the House shall observe appropriate and dignified attire which means shirt and tie for males and dress, skirt or slacks and blouse, or pants suits for females. This provision shall be enforced by the Speaker.

 **10.6** Laptop computers located in the House Chamber may not be removed from the Chamber.

 **10.7** No smoking or use of tobacco products is permitted in any area under the exclusive control of the House of Representatives unless the area is otherwise designated a ‘smoking area’ by the Speaker. Smoking for purposes of this rule includes carrying a lighted cigar, cigarette, pipe, or any other lighted smoking equipment. *Provided*, further, that the consumption of food is not permitted within the House Chamber.

 **10.8** No member of the House shall incur more than one thousand eight hundred dollars in long distance telephone charges at state expense during any fiscal year. If a member accumulates more than one thousand eight hundred dollars in long distance telephone expenses during any fiscal year, he shall be billed and must reimburse the State on a monthly basis for the remaining balance.

 **10.9** House Resolutions granting the privilege of admittance to the House Chamber to persons not otherwise granted the privilege pursuant to House Rule 10.1 are limited to the following conditions:

 (a) The privilege of admittance to the House Chamber is limited to school teams or school groups that have won state or national championships or received statewide or national awards. Individual persons are not granted the privilege of admittance to the House Chamber.

 (b) School teams or groups may be scheduled for the privilege of admittance to the House Chamber only on Wednesdays and Thursdays that the House is in session, and no more than two teams or groups may be scheduled in one day. *Provided*, further, that no school teams or groups may be granted the privilege of admittance to the House Chamber during the last week of the regularly scheduled legislative session.

 (c) The House member wishing for the qualified school team or group to have privilege of admittance to the House Chamber shall introduce a House Resolution granting the privilege on a ‘date and time to be determined by the Speaker of the House’. The House of Representatives shall adopt the resolution in order for the team or group to be granted the privilege. *Provided*, the school team or group’s list of members, coaches, mascot, and other appropriate school officials must be listed on the House Calendar for the day in which they are granted the privilege of admittance to the House Chamber. The House member sponsoring the resolution shall provide the appropriate information to the Clerk five days in advance of the school team or group scheduled admittance to the House Chamber.

 (d) All other teams, groups, or individuals not otherwise allowed the privilege of admittance to the House Chamber may be recognized in the balcony of the House Chamber at a ‘time determined by the Speaker of the House’. *Provided*, no presentation either within the House Chamber or in the balcony may exceed five minutes, and no one, other than a House member, may speak or make remarks during a presentation.

 **10.10** The use of audible pagers, cell phones, and any other personal communication device by any person is prohibited in the House Chamber when the House is in session and when the General Assembly is meeting in Joint Session. The use of these devices by any person is also prohibited in House committee meetings and subcommittee meetings. These devices must be turned off, or placed in a silent mode, such as vibrate, prior to being carried into the House Chamber, committee meetings, or subcommittee meetings. Should a device which has been placed in a silent mode activate in the Chamber, a committee meeting, or subcommittee meeting the person possessing the device must exit the Chamber, committee room, or subcommittee room prior to responding in any fashion.

 **10.11** The Clerk’s office shall establish procedures for providing House members with certificates commemorating birthdays, anniversaries, retirements, achievements, awards, etc. as needed. House members shall request certificates in writing and provide the Clerk’s office with the information necessary to complete the certificates.

 The Clerk’s office also shall establish procedures whereby members may have House certificates and House and Concurrent Resolutions framed at local businesses providing framing services within the Columbia area during the legislative session. House members are responsible for paying for all framing services within a timely manner.

 The Clerk’s office shall establish procedures whereby staff shall deliver framing requests to local businesses no more than one time each legislative day. *Provided*, further, the Clerk’s office shall establish procedures whereby staff shall pickup framing requests from local businesses no more than one time each legislative day. Framing requests will not be delivered or picked up on nonlegislative days. All framing requests, upon their completion and pickup, must be delivered to the House member on the State House complex. House staff may not deliver framing requests to members outside the State House complex.”

The Resolution was adopted.

Reps. HARRELL, CLEMMONS, BANNISTER, AND OTT proposed the following Amendment No. 1 to H. 3001 (COUNCIL\MS\3001C001.MS.AHB13), which was adopted:

Amend the House resolution, as and if amended, by deleting Rule 1.9 and inserting:

/ “ 1.9 All committees shall be appointed by the Speaker, unless otherwise provided for by rule or by law, except Senatorial and Gubernatorial appointees and *ex officio* members of the House. The Speaker shall name the members constituting each committee in alphabetical order. The Chairman shall be elected by the respective committees during the organizational session. If any subsequent vacancy shall occur in a committee’s chairmanship, the election of a new committee chairman shall take place at the time and date to be set by the presiding officer of the respective committee. The committees may at their discretion elect a Vice‑Chairman and such other officers as they may choose.” /

Amend the House Resolution further, by deleting Rule 4.2(9.) and inserting:

/ “9. House of Representatives Legislative Ethics Committee – ~~6~~ 10.” /

Amend the House Resolution further, by deleting Rule 4.16a. and inserting:

/ “4.16 a. The House of Representatives Legislative Ethics Committee consists of ~~six (6)~~ ten (10) members. The ten members of the House of Representatives Legislative Ethics Committee shall be elected by the members of the House. Five members of the committee shall be members of the majority party represented in the House of Representatives and five members shall be members of the minority party represented in the House of Representatives or be nonaffiliated with any party or another party not in the majority. The Chairman of the Ethics Committee shall be one of the five members of the committee from the majority party represented in the House to be elected by the members of the committee. Other officers of the committee are not required to be affiliated with a particular party and shall be elected by members of the committee as well.

 The committee has the following powers and duties:

 (1)(a) to receive complaints or charges concerning conduct alleged to be unethical from any citizen of this State or member of the House against:

 (i) House members;

 (ii) former House members, provided the allegations are related to the former member’s service in the House;

 (iii) candidates for the House;

 (iv) former candidates for the House, provided the allegations are related to the former candidate’s bid for the House;

 (v) officers and employees of the House;

 (vi) staff and independent contractors of a House legislative caucus committee.

Only sworn written complaints or charges may be considered;

 (b) to file a complaint upon concurrence of at least four members of the House Ethics Committee when alleged violations are identified;

 (c) for purposes of this Rule, unethical conduct may include, but is not limited to, a:

 (i) violation of Chapter 13, Title 8;

 (ii) violation of Chapter 17, Title 2; or

 (iii) breach of this Rule by a person designated in a.(1)(a) above or as designated by statute;

 (2) to investigate these complaints and charges and, if warranted, to report the results of these investigations to the House with recommendations for further appropriate action as authorized by law;

 (3) upon request of any member, officer, or employee of the House to render advisory opinions with regard to legislative ethics when, in their judgment, these opinions would serve the public interest, and to act as an advisory body to the House and to individual members of or candidates for the House on questions pertaining to the disclosure and filing requirements;

 (4) to make available annually to the House a compilation of the principles provided in advisory opinions rendered;

 (5) to administer or recommend appropriate sanctions or dismiss charges;

 (6) to ascertain whether a person has failed to comply fully and accurately with the disclosure requirements of Chapter 13, Title 8 and promptly notify the person to file the necessary notices and reports to satisfy the requirements; and

 (7) to recommend a rule or statutory change relating to ethics as the committee deems appropriate.”/

Renumber sections to conform.

Amend title to conform.

Rep. CLEMMONS explained the amendment.

Rep. OTT spoke in favor of the amendment.

The amendment was then adopted.

The Resolution, as amended, was then implemented as the Rules of the House.

**2012 ELECTION OF OPERATIONS AND MANAGEMENT COMMITTEE**

 The SPEAKER announced that nominations were in order for seven

members of the House Operations and Management Committee.

 The following names were placed in nomination: Reps. G. R. SMITH, BALES, ALLISON, TOOLE, LONG, KNIGHT, HENDERSON, and WILLIAMS.

 On motion of Rep. CLEMMONS, with unanimous consent, the Members of the House voted by electronic roll call.

The following named Representatives voted for Rep. ALLISON:

Yeas 110;

 Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Alexander | Allison | Anderson |
| Anthony | Bales | Ballentine |
| Bannister | Bedingfield | Bernstein |
| Bingham | Bowen | Bowers |
| Branham | Brannon | R. L. Brown |
| M. S. McLeod | Chumley | Clemmons |
| Cobb-Hunter | Cole | H. A. Crawford |
| K. R. Crawford | Crosby | Daning |
| Delleney | Dillard | Douglas |
| Edge | Erickson | Felder |
| Finlay | Forrester | Funderburk |
| Gagnon | Gambrell | George |
| Gilliard | Goldfinch | Govan |
| Hamilton | Hardee | Hardwick |
| Harrell | Hart | Hayes |
| Henderson | Herbkersman | Hiott |
| Hixon | Hodges | Horne |
| Hosey | Huggins | Jefferson |
| Kennedy | King | Knight |
| Limehouse | Loftis | Long |
| Lowe | Lucas | Mack |
| McCoy | McEachern | W. J. McLeod |
| Merrill | Mitchell | D. C. Moss |
| V. S. Moss | Murphy | Nanney |
| Neal | Newton | Norman |
| Ott | Owens | Parks |
| Patrick | Pitts | Pope |
| Powers Norrell | Putnam | Quinn |
| Ridgeway | Riley | Rivers |
| Robinson-Simpson | Ryhal | Sabb |
| Sandifer | Simrill | G. M. Smith |
| G. R. Smith | J. R. Smith | Sottile |
| Southard | Spires | Stavrinakis |
| Stringer | Tallon | Taylor |
| Thayer | Toole | Vick |
| Wells | White | Whitmire |
| Willis | Wood |  |

**Total--110**

 The following named Representatives voted for Rep. BALES:

Yeas 114;

 Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Alexander | Allison | Anderson |
| Anthony | Bales | Ballentine |
| Bannister | Bedingfield | Bernstein |
| Bingham | Bowen | Bowers |
| Branham | Brannon | R. L. Brown |
| M. S. McLeod | Chumley | Clemmons |
| Cobb-Hunter | Cole | H. A. Crawford |
| K. R. Crawford | Crosby | Daning |
| Delleney | Dillard | Douglas |
| Edge | Erickson | Felder |
| Finlay | Forrester | Funderburk |
| Gagnon | Gambrell | George |
| Gilliard | Goldfinch | Govan |
| Hamilton | Hardee | Hardwick |
| Harrell | Hart | Hayes |
| Henderson | Herbkersman | Hiott |
| Hixon | Hodges | Horne |
| Hosey | Howard | Huggins |
| Jefferson | Kennedy | King |
| Knight | Limehouse | Loftis |
| Long | Lowe | Lucas |
| Mack | McCoy | McEachern |
| W. J. McLeod | Merrill | Mitchell |
| D. C. Moss | V. S. Moss | Munnerlyn |
| Murphy | Nanney | Neal |
| Newton | Ott | Owens |
| Parks | Patrick | Pitts |
| Pope | Powers Norrell | Putnam |
| Quinn | Ridgeway | Riley |
| Rivers | Robinson-Simpson | Rutherford |
| Ryhal | Sabb | Sandifer |
| Simrill | G. M. Smith | G. R. Smith |
| J. R. Smith | Sottile | Southard |
| Spires | Stavrinakis | Stringer |
| Tallon | Taylor | Thayer |
| Toole | Vick | Weeks |
| Wells | Whipper | White |
| Williams | Willis | Wood |

**Total--114**

The following named Representatives voted for Rep. HENDERSON:

Yeas 90;

 Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Alexander | Allison | Anthony |
| Bales | Ballentine | Bannister |
| Barfield | Bedingfield | Bernstein |
| Bingham | Bowen | Brannon |
| M. S. McLeod | Chumley | Clemmons |
| Cole | H. A. Crawford | K. R. Crawford |
| Crosby | Daning | Delleney |
| Dillard | Erickson | Felder |
| Finlay | Forrester | Gagnon |
| Gambrell | Goldfinch | Govan |
| Hamilton | Hardee | Hardwick |
| Henderson | Herbkersman | Hiott |
| Hixon | Horne | Howard |
| Huggins | Jefferson | Kennedy |
| King | Knight | Limehouse |
| Loftis | Long | Lowe |
| Lucas | McCoy | Merrill |
| Mitchell | D. C. Moss | V. S. Moss |
| Munnerlyn | Murphy | Nanney |
| Newton | Norman | Owens |
| Patrick | Pitts | Pope |
| Putnam | Quinn | Riley |
| Rivers | Robinson-Simpson | Ryhal |
| Sabb | Sandifer | Simrill |
| G. M. Smith | G. R. Smith | J. R. Smith |
| Sottile | Southard | Spires |
| Stavrinakis | Stringer | Tallon |
| Taylor | Thayer | Toole |
| Wells | White | Whitmire |
| Williams | Willis | Wood |

**Total--90**

The following named Representatives voted for Rep. Knight:

Yeas 95;

 Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Alexander | Allison | Anderson |
| Anthony | Bales | Ballentine |
| Barfield | Bedingfield | Bernstein |
| Bowen | Bowers | Branham |
| R. L. Brown | M. S. McLeod | Chumley |
| Clemmons | Cobb-Hunter | H. A. Crawford |
| Crosby | Daning | Delleney |
| Dillard | Douglas | Felder |
| Finlay | Forrester | Funderburk |
| Gagnon | George | Gilliard |
| Goldfinch | Govan | Hardee |
| Hardwick | Harrell | Hart |
| Hayes | Henderson | Hiott |
| Hixon | Hodges | Horne |
| Hosey | Howard | Jefferson |
| Kennedy | King | Knight |
| Loftis | Mack | McEachern |
| W. J. McLeod | Merrill | Mitchell |
| D. C. Moss | V. S. Moss | Munnerlyn |
| Murphy | Nanney | Neal |
| Norman | Ott | Owens |
| Parks | Pitts | Pope |
| Powers Norrell | Putnam | Ridgeway |
| Riley | Rivers | Robinson-Simpson |
| Rutherford | Ryhal | Sabb |
| Simrill | G. M. Smith | G. R. Smith |
| J. R. Smith | Sottile | Southard |
| Spires | Stavrinakis | Stringer |
| Taylor | Thayer | Toole |
| Vick | Weeks | Wells |
| Whipper | Whitmire | Williams |
| Willis | Wood |  |

**Total--95**

The following named Representatives voted for Rep. LONG:

Yeas 106;

 Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Alexander | Allison | Anderson |
| Anthony | Bales | Ballentine |
| Bannister | Barfield | Bedingfield |
| Bernstein | Bingham | Bowen |
| Bowers | Branham | Brannon |
| Chumley | Clemmons | Cobb-Hunter |
| Cole | H. A. Crawford | K. R. Crawford |
| Crosby | Daning | Delleney |
| Dillard | Douglas | Edge |
| Erickson | Felder | Finlay |
| Forrester | Funderburk | Gagnon |
| Gambrell | George | Goldfinch |
| Govan | Hamilton | Hardee |
| Hardwick | Harrell | Hayes |
| Henderson | Herbkersman | Hiott |
| Hixon | Horne | Hosey |
| Howard | Huggins | Jefferson |
| Kennedy | King | Limehouse |
| Loftis | Long | Lowe |
| Lucas | McCoy | McEachern |
| Merrill | Mitchell | D. C. Moss |
| V. S. Moss | Munnerlyn | Murphy |
| Nanney | Neal | Newton |
| Norman | Ott | Owens |
| Parks | Patrick | Pitts |
| Pope | Powers Norrell | Putnam |
| Quinn | Ridgeway | Riley |
| Rivers | Rutherford | Ryhal |
| Sabb | Sandifer | Simrill |
| G. M. Smith | G. R. Smith | J. R. Smith |
| Sottile | Southard | Spires |
| Stavrinakis | Stringer | Tallon |
| Taylor | Thayer | Toole |
| Vick | Whipper | White |
| Whitmire | Williams | Willis |
| Wood |  |  |

**Total--106**

The following named Representatives voted for Rep. G. R. SMITH:

Yeas 92;

 Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Allison | Anthony | Bales |
| Ballentine | Bannister | Barfield |
| Bedingfield | Bernstein | Bingham |
| Bowen | Bowers | Brannon |
| Chumley | Clemmons | Cole |
| H. A. Crawford | K. R. Crawford | Crosby |
| Daning | Delleney | Dillard |
| Douglas | Edge | Erickson |
| Felder | Finlay | Forrester |
| Funderburk | Gagnon | Gambrell |
| George | Goldfinch | Govan |
| Hamilton | Hardee | Hardwick |
| Hayes | Henderson | Hiott |
| Hixon | Horne | Hosey |
| Huggins | Kennedy | Knight |
| Limehouse | Loftis | Long |
| Lowe | Lucas | McCoy |
| McEachern | W. J. McLeod | Merrill |
| D. C. Moss | V. S. Moss | Munnerlyn |
| Murphy | Nanney | Norman |
| Owens | Patrick | Pitts |
| Pope | Powers Norrell | Putnam |
| Quinn | Ridgeway | Riley |
| Rivers | Robinson-Simpson | Ryhal |
| Sandifer | Simrill | G. M. Smith |
| G. R. Smith | J. R. Smith | Sottile |
| Southard | Spires | Stringer |
| Tallon | Taylor | Thayer |
| Toole | Vick | Wells |
| Whipper | White | Whitmire |
| Willis | Wood |  |

**Total--92**

The following named Representatives voted for Rep. TOOLE:

Yeas 100;

 Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Allison | Anderson | Bales |
| Ballentine | Bannister | Barfield |
| Bedingfield | Bernstein | Bingham |
| Bowen | Bowers | Branham |
| Brannon | R. L. Brown | M. S. McLeod |
| Chumley | Clemmons | Cole |
| H. A. Crawford | K. R. Crawford | Crosby |
| Delleney | Douglas | Edge |
| Erickson | Felder | Finlay |
| Forrester | Funderburk | Gagnon |
| Gambrell | George | Gilliard |
| Goldfinch | Hardee | Hardwick |
| Hart | Hayes | Henderson |
| Herbkersman | Hiott | Hixon |
| Hodges | Horne | Hosey |
| Huggins | Jefferson | Kennedy |
| Limehouse | Loftis | Long |
| Lowe | Lucas | Mack |
| McCoy | McEachern | W. J. McLeod |
| Merrill | D. C. Moss | V. S. Moss |
| Munnerlyn | Murphy | Nanney |
| Neal | Newton | Norman |
| Ott | Owens | Patrick |
| Pitts | Pope | Powers Norrell |
| Putnam | Quinn | Ridgeway |
| Riley | Rivers | Rutherford |
| Ryhal | Sabb | Sandifer |
| Simrill | G. M. Smith | G. R. Smith |
| J. R. Smith | Sottile | Southard |
| Spires | Stringer | Tallon |
| Taylor | Thayer | Toole |
| Vick | Weeks | Wells |
| White | Whitmire | Willis |
| Wood |  |  |

**Total--100**

The following named Representatives voted for Rep. WILLIAMS:

Yeas 53;

 Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Alexander | Anderson | Anthony |
| Bingham | Bowers | Branham |
| R. L. Brown | M. S. McLeod | Cobb-Hunter |
| Cole | K. R. Crawford | Daning |
| Dillard | Douglas | Erickson |
| Funderburk | Gambrell | George |
| Gilliard | Govan | Hart |
| Hayes | Herbkersman | Hodges |
| Hosey | Howard | Huggins |
| Jefferson | King | Limehouse |
| Lowe | Lucas | Mack |
| McEachern | W. J. McLeod | Mitchell |
| Munnerlyn | Neal | Newton |
| Norman | Ott | Patrick |
| Powers Norrell | Quinn | Ridgeway |
| Robinson-Simpson | Rutherford | Sabb |
| Tallon | Vick | Weeks |
| Whipper | Williams |  |

**Total--53**

**RECAPITULATION**

Rep. ALLISON received 110

Rep. BALES received 114

Rep. HENDERSON received 90

Rep. KNIGHT received 95

Rep. LONG received 106

Rep. G.R. SMITH received 92

Rep. TOOLE received 100

Rep. WILLIAMS received 53

 Whereupon, the SPEAKER announced that Reps. ALLISON, BALES, HENDERSON, KNIGHT, LONG, G. R. SMITH and TOOLE, having received the necessary number of the votes cast, were duly elected for the term prescribed by law.

**ELECTION OF HOUSE ETHICS COMMITTEE**

The SPEAKER announced that nominations were in order for ten members of the House Ethics Committee.

Pursuant to House Rule 4.16, the House must elect five members of the majority party to the Ethics Committee.

The following names were placed in nomination: Reps. BINGHAM, HORNE, G. M. SMITH, POPE AND PITTS.

On motion of Rep. LIMEHOUSE, nominations were closed, and with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominees.

Whereupon, the SPEAKER announced that Reps. BINGHAM, HORNE, G. M. SMITH, POPE AND PITTS were duly elected for the term prescribed by law.

Pursuant to Rule 4.16, the House must elect five members who are not members of the majority party.

The following names were placed in nomination: Reps. SABB, STAVRINAKIS, MUNNERLYN, DILLARD and WEEKS.

On motion of Rep. COBB-HUNTER, nominations were closed, and with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominees.

Whereupon, the SPEAKER announced that Reps. SABB, STAVRINAKIS, MUNNERLYN, DILLARD AND WEEKS, were duly elected for the term prescribed by law.

**HOUSE TO MEET AT 10:00 A.M. TOMORROW**

Rep. GAGNON moved that when the House adjourns it adjourn to meet at 10:00 a.m. tomorrow, which was agreed to.

**ADJOURNMENT**

At 4:35 p.m. the House in accordance with the motion of Rep. KENNEDY adjourned to meet at 10:00 a.m. tomorrow.

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